

By Mr. ELLENBOGEN: A bill (H. R. 11754) granting a pension to Henrietta F. Lowry; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 11755) granting an increase of pension to Mary E. Frank; to the Committee on Invalid Pensions.

By Mr. JENKINS of Ohio: A bill (H. R. 11756) granting a pension to Ted Spires; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 11757) granting an increase of pension to Bella J. Roberts; to the Committee on Invalid Pensions.

By Mr. ROBSON of Kentucky: A bill (H. R. 11758) for the relief of D. L. Mason; to the Committee on Claims.

Also, a bill (H. R. 11759) for the relief of Arnold Blanton; to the Committee on Claims.

Also, a bill (H. R. 11760) for the relief of Mat Hensley; to the Committee on Claims.

Also, a bill (H. R. 11761) for the relief of Clyde Thorpe; to the Committee on Claims.

Also, a bill (H. R. 11762) for the relief of Lillie Price; to the Committee on Claims.

By Mr. TARVER: A bill (H. R. 11763) for the relief of E. W. Garrison; to the Committee on Claims.

By Mr. THOMAS: A bill (H. R. 11764) granting an increase of pension to Mary B. Kaiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11765) granting an increase of pension to Carrie B. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11766) granting an increase of pension to Catherine Berrigan; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10498. By Mr. CULKIN: One hundred and fourteen petitions from Woman's Christian Temperance Union from various States bearing 5,152 signatures favoring antiblocking legislation; to the Committee on Interstate and Foreign Commerce.

10499. Also, petition of 14 residents of Copenhagen, Lewis County, N. Y., urging passage of House bill 8739; to the Committee on the District of Columbia.

10500. Also, petition of the board of trustees of the village of Pulaski, N. Y., opposing Senate bill 3958 and Senate bill 3959; to the Committee on Interstate and Foreign Commerce.

10501. By Mr. JOHNSON of Texas: Petition of agricultural committee, Bryan and Brazos County Chamber of Commerce, and George G. Chance, J. Webb Howell, Percy Terrell, John D. Rogers, John D. Quinn, W. S. Barron, Travis B. Bryan, S. J. Emory, Clarence Moore, Mrs. Lee J. Rountree, F. L. Henderson, and W. C. Davis, all of Bryan, Tex., favoring House Joint Resolution 508, providing for full payment of all excess cotton tax exemption certificates; to the Committee on Agriculture.

10502. By Mr. LAMBERTSON: Petition of H. C. Feller and seven other citizens, all of Leavenworth, Kans., favoring passage of House bill 3263; to the Committee on Interstate and Foreign Commerce.

10503. Also, petition of Pascal Lewis and 16 other citizens, all of Topeka, Kans., favoring passage of House bill 3263; to the Committee on Interstate and Foreign Commerce.

10504. Also, petition of Mrs. L. A. Spencer and 23 other citizens, all of Sabetha, Kans., favoring passage of House bill 8739; to the Committee on the Judiciary.

10505. By Mr. McMILLAN: Petition of patrons of star-route service from Moncks Corner, S. C., requesting increase in the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10506. By Mr. O'MALLEY: Petition of the Michigan Park Citizens Association of the District of Columbia, setting forth need for public-school facilities in that area; to the Committee on the District of Columbia.

10507. By Mr. Sisson: Petition urging passage of House bill 8739, a bill pertaining to the prohibition of sale of alco-

holic beverages in the District of Columbia; to the Committee on the District of Columbia.

10508. By Mr. THOMAS: Petitions of citizens of Troy, N. Y., asking passage of House bill 8739, known as the Guyer bill, to restore the District of Columbia to its former prohibition status; to the Committee on the District of Columbia.

10509. By the SPEAKER: Petition of the Oregon State Bar; to the Committee on the Library.

10510. Also, petition of the city of Portland, Oreg.; to the Committee on Rivers and Harbors.

10511. Also, petition of the Association of American State Geologists; to the Committee on Merchant Marine and Fisheries.

## SENATE

THURSDAY, MARCH 12, 1936

(Legislative day of Monday, Feb. 24, 1936)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, March 11, 1936, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Keyes	Overton
Ashurst	Copeland	King	Pope
Austin	Costigan	La Follette	Radcliffe
Bachman	Couzens	Lewis	Reynolds
Bailey	Davis	Logan	Robinson
Barkley	Dieterich	Loneragan	Russell
Benson	Donahay	Long	Schwellenbach
Bilbo	Duffy	McAdoo	Sheppard
Black	Fletcher	McGill	Shipstead
Bone	Frazier	McKellar	Smith
Borah	George	McNary	Stelwer
Bulkley	Gibson	Maloney	Thomas, Okla.
Bulow	Glass	Metcalf	Townsend
Burke	Gore	Minton	Trammell
Byrd	Guffey	Moore	Tydings
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Murray	Wagner
Caraway	Hatch	Neely	Walsh
Carey	Hayden	Norbeck	Wheeler
Clark	Holt	Norris	White
Connally	Johnson	O'Mahoney	

Mr. LEWIS. I announce the absence of the Senator from Alabama [Mr. BANKHEAD] because of illness, and I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from Nevada [Mr. McCARRAN], the Senator from Indiana [Mr. VAN NUYS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GERRY], the Senator from Nevada [Mr. PITTMAN], the Senator from Utah [Mr. THOMAS], and the Senator from Missouri [Mr. TRUMAN] are necessarily detained from the Senate.

Mr. TOWNSEND. I announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is necessarily absent.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] and the Senator from Iowa [Mr. DICKINSON] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

#### INVESTIGATION OF CAMPAIGN EXPENDITURES IN 1936

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, with an amendment to the amendment reported by the Committee on Privileges and Elections, Senate Resolution 225. I ask unanimous consent for the consideration of the resolution at this time.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 225) submitted by Mr. ROBINSON on January 30, 1936, referred to the Com-

mittee on Privileges and Elections, and on February 6 reported from that committee with an amendment, on page 3, line 18, after the word "aggregate", to insert "\$100,000", and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

*Resolved*, That a special committee consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to investigate the campaign expenditures of the various Presidential candidates, Vice-Presidential candidates, and candidates for the United States Senate, in both parties, the names of the persons, firms, or corporations subscribing the amount contributed, the method of expenditure of said sums, and all facts in relation thereto, not only as to the subscriptions of money and expenditures thereof but as to the use of any other means or influence, including the promise or use of patronage, and all other facts in relation thereto which would not only be of public interest but which would aid the Senate in enacting any remedial legislation or in deciding any contests which might be instituted involving the right to a seat in the United States Senate.

No Senator shall be appointed upon said committee from a State in which a Senator is to be elected at the general election in 1936.

The investigation hereby provided for, in all the respects above enumerated, shall apply to candidates and to contests before primaries, conventions, and the contests and campaign terminating in the general election in 1936.

Said committee is hereby authorized to act upon its own initiative and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made before said committee, under oath, by any person, persons, candidate, or political committee, setting forth allegations as to facts which, under this resolution it would be the duty of said committee to investigate, the said committee shall investigate such charges as fully as though it were acting upon its own motion, unless, after a hearing upon such complaint, the committee shall find that the allegations in said complaint are immaterial or untrue.

Said committee is hereby authorized, in the performance of its duties, to sit at such times and places, either in the District of Columbia or elsewhere, as it deems necessary or proper. It is specifically authorized to require the attendance of witnesses by subpoena or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, clerical and other assistants; and to employ stenographers at a cost not exceeding 25 cents per 100 words.

Said committee is hereby specifically authorized to act through any subcommittee authorized to be appointed by said committee. The chairman of said committee or any member of any subcommittee may administer oaths to witnesses and sign subpoenas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee or who appears and refuses to answer questions pertinent to said investigation shall be punished as prescribed by law.

The expenses of said investigation, not exceeding in the aggregate \$100,000, shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee or the chairman of any subcommittee.

All hearings before said committee shall be public, and all orders or decisions of the committee shall be public.

The committee shall make a full report to the Senate on the first day of the next session of the Congress.

Mr. McNARY. My attention was diverted for a moment. I ask, What is the purpose of the resolution?

Mr. BYRNES. Mr. President, I will say to the Senator that it is similar to resolutions which have been adopted in preceding Congresses providing for an investigation of campaign expenditures. The resolution has been reported unanimously by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. McNARY. Is the sum made available by the resolution similar to sums provided by former resolutions on the same subject?

Mr. BYRNES. The amount proposed by the resolution as reported by the Committee on Privileges and Elections was \$100,000, but the Committee to Audit and Control the Contingent Expenses of the Senate reduced it to \$30,000, which is the amount provided in former resolutions of a similar character.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate to the amendment reported by the Committee on Privileges and Elections was, on page 3, line 18, after the word "aggregate", to strike out "\$100,000" and insert in lieu thereof "\$30,000."

The amendment to the amendment was agreed to.

The resolution as amended was agreed to.

Mr. McNARY subsequently said: Earlier in the day the Senator from South Carolina [Mr. BYRNES] offered for the Senate's consideration Senate Resolution 225. Upon reflection

I recall that the Senator from Delaware [Mr. HASTINGS], who is necessarily absent, desired to propose an amendment to that resolution. For that reason I at this time wish to enter a motion to reconsider the vote by which the resolution was adopted.

The PRESIDING OFFICER. The motion to reconsider will be entered.

#### NON-INDIAN CLAIMANTS OF INDIAN LANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a supplemental report relative to non-Indian claimants who were found by the Pueblo Lands Board to have occupied and claimed land in good faith but whose claims were not sustained and whose occupation was terminated under the act of June 7, 1924, which, with the accompanying papers, was referred to the Committee on Indian Affairs.

#### PETITIONS AND MEMORIALS

Mr. WALSH presented a petition of the National Fire Protection Association, of Boston, Mass., praying for an increase in the appropriation to develop additional methods for farm fire prevention of existing research studies on spontaneous heating and ignition of agricultural products, which was referred to the Committee on Appropriations.

He also presented a petition of the division of conservation of natural resources of the Massachusetts State Federation of Women's Clubs, praying for adequate appropriations for the control of the dutch elm disease, which was referred to the Committee on Appropriations.

He also presented a memorial of the Massachusetts Forest and Park Association, of Boston, Mass., remonstrating against the construction of a tunnel in Rocky Mountain National Park for irrigation purposes, which was referred to the Committee on Appropriations.

He also presented a memorial of the Women's Trade Union League, of Worcester, Mass., remonstrating against an increase in the appropriation for the National Guard, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by the Great Council of Massachusetts, Degree of Pocahontas of the Improved Order of Red Men of Massachusetts, favoring the enactment of legislation providing for a bureau of alien deportation in the Department of Justice, which was referred to the Committee on the Judiciary.

He also presented a memorial of Past Councilors Association of Massachusetts, Junior Order United American Mechanics, of Haverhill, Mass., remonstrating against the enactment of legislation relating to the deportation of aliens, which was referred to the Committee on Immigration.

He also presented a petition of Elizabeth L. McNamara Auxiliary, No. 23, United Spanish War Veterans, of Malden, Mass., praying for the enactment of Senate bill 3545, to provide travel pay to enlisted men who were held in the Philippines beyond their terms of enlistment in the War with Spain, which was referred to the Committee on Claims.

He also presented a petition of the Massachusetts Society for the Prevention of Cruelty to Children, of Boston, Mass., praying for the enactment of legislation to prohibit certain practices of the motion-picture industry in relation to block booking and blind selling, which was referred to the Committee on Interstate Commerce.

He also presented a petition of members of First Division Chapter, National Council of Officials of the Railway Mail Service, of Boston, Mass., praying for the enactment of House bill 10267, to adjust salaries of supervisory officials of the Railway Mail Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Stockbridge Grange, No. 295, Patrons of Husbandry, of Stockbridge, Mass., remonstrating against the enactment of Senate bill 1632, to regulate commerce by water carriers, which was ordered to lie on the table.

#### FAIR TRADE BILL—PETITION

Mr. WALSH. I present a petition signed by John Viegas, secretary, New Bedford Retail Grocers and Provisions Deal-



ers Association, New Bedford, Mass., and over 700 other food dealers of southeastern Massachusetts, urging the enactment by the Congress of the so-called Robinson-Patman fair-trade bill, and ask that it lie on the table.

There being no objection, the petition was received and ordered to lie on the table.

#### REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, to which was referred the bill (H. R. 3254) to exempt certain small firearms from the provisions of the National Firearms Act, reported it without amendment and submitted a report (No. 1682) thereon.

Mr. COPELAND, from the Committee on Appropriations, to which was referred the bill (H. R. 11035) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes, reported it with amendments and submitted a report (No. 1683) thereon.

Mr. WALSH, from the Committee on Finance, to which was referred the bill (H. R. 11365) relating to the filing of copies of income returns, and for other purposes, reported it without amendment and submitted a report (No. 1684) thereon.

Mr. MURRAY, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1871) granting certain public lands to the State of Montana for the use and benefit of the Northern Montana Agricultural and Manual Training School, reported it with an amendment and submitted a report (No. 1685) thereon.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

A bill (S. 4254) for the relief of Anna O'Brien and William O'Brien; and

A bill (S. 4255) for the relief of Adolph Micek, a minor; to the Committee on Claims.

By Mr. BACHMAN:

A bill (S. 4256) granting a pension to Henry Watson; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 4257) to provide that individual income-tax returns may be made under oath or accompanied by a written declaration that they are made under the penalties of perjury; to the Committee on Finance.

By Mr. TYDINGS:

A bill (S. 4258) for the relief of the leader of the Naval Academy Band; to the Committee on Naval Affairs.

By Mr. DUFFY:

A bill (S. 4259) to provide for the establishment of a Coast Guard station at Marinette, Wis.; to the Committee on Commerce.

By Mr. NEELY:

A bill (S. 4260) making Nancy J. Litman eligible to receive the benefits of the Civil Service Retirement Act; and

A bill (S. 4261) for the relief of Charles Tabit; to the Committee on Claims.

By Mr. BONE:

A bill (S. 4262) granting a pension to Harriett Ware; to the Committee on Pensions.

A bill (S. 4263) for the relief of the estate of Ezra Fislerman; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 4264) for the relief of Earl J. Thomas; to the Committee on Commerce.

A bill (S. 4265) to authorize the Secretary of War to set apart as a national cemetery certain lands of the United States Military Reservation of Fort Bliss, Tex.; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A bill (S. 4266) to amend the Social Security Act to provide for aid to transients; to the Committee on Finance.

By Mr. SHIPSTEAD:

A bill (S. 4267) to increase the processing tax on certain oils, to impose a tax upon imported soybean oil, and for other purposes; to the Committee on Finance.

A bill (S. 4268) to establish additional national cemeteries; to the Committee on Military Affairs.

By Mr. NORBECK:

A bill (S. 4269) to authorize the reexamination of the claims of individual Sioux Indians heretofore filed under the act of May 3, 1928, and report to Congress thereon; and

A bill (S. 4270) to authorize the investigation by the Secretary of the Interior of the loss of Indian allotments in certain cases and for a report thereon; to the Committee on Indian Affairs.

#### CHANGE OF REFERENCE

On motion of Mr. POPE, the Committee on Commerce was discharged from the further consideration of the joint resolution (S. J. Res. 227) to authorize the completion of work contemplated by Executive Order No. 7075, and it was referred to the Committee on Interstate Commerce.

#### AMENDMENT TO WAR DEPARTMENT APPROPRIATION BILL

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill 11035, the War Department appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 3, line 10, to strike out "\$303,960" and insert "\$323,960." On page 69, line 12, after the word "navigation", to insert "and to include waterway improvements investigated by the War Department under specific authorization from Congress and subsequently undertaken pursuant to the Emergency Relief Appropriation Act of 1935."

On page 68, line 20, to strike out "\$138,677,899" and insert "\$158,677,899."

#### BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION—AMENDMENT

Mr. GIBSON submitted an amendment intended to be proposed by him to the bill (H. R. 8599) to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes, which was ordered to lie on the table and to be printed.

#### ADDITIONAL CLERK UNDER SERGEANT AT ARMS

Mr. McNARY submitted the following resolution (S. Res. 249), which was ordered to lie on the table:

*Resolved*, That the Committee on Appropriations, or any subcommittee thereof having charge of the preparation of the bill making appropriations for the legislative establishment for the fiscal year ending June 30, 1937, is hereby directed to increase the number of clerks at \$1,800 under the supervision of the Sergeant at Arms and Doorkeeper by one.

#### INVESTIGATION OF COST OF CERTAIN PELTS

Mr. POPE submitted the following resolution (S. Res. 250), which was referred to the Committee on Finance:

*Resolved*, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the Tariff Act of 1930, and for the purposes of that section, to investigate the differences in cost of production of the following domestic articles and of any like or similar foreign articles: Dressed or dyed Persian lamb pelts, Russian pony pelts, squirrel pelts, and mole pelts.

#### HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY

Mr. FLETCHER submitted the following resolution (S. Res. 251), which was referred to the Committee on Banking and Currency:

*Resolved*, That the Committee on Banking and Currency, or any subcommittee thereof, hereby is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-fifth Congress at such times and places as it deems advisable, to make investigations into all matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary, and to report in due course to the Senate the result thereof, to send for persons, books, and papers, to administer oaths, and to employ such expert stenographic, clerical, and other assistance as may be necessary; and all the expenses incurred in pursuance hereof shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

#### SALARIES AND POSITIONS UNDER SECRETARY OF SENATE

Mr. LEWIS submitted the following resolution (S. Res. 252), which was ordered to lie on the table:

*Resolved*, That the Committee on Appropriations, or any subcommittee thereof having charge of the preparation of the bill making appropriations for the legislative establishment for the

fiscal year ending June 30, 1937, is hereby directed to make the following changes in salaries and positions under the supervision of the Secretary of the Senate, to wit:

Assistant financial clerk: Strike out "assistant financial clerk, \$4,200" and insert "assistant financial clerk, \$4,500";

Executive and assistant Journal clerks: Strike out "executive clerk and assistant Journal clerk, at \$3,180 each" and insert "executive clerk, \$3,180; assistant Journal clerk, \$3,360";

Library and stationery assistants: Strike out "assistant librarian and assistant keeper of stationery, at \$2,400 each";

Clerks: Insert "one at \$3,180";

Strike out "two at \$2,640 each" and insert "one at \$2,640";

Strike out "one at \$2,400" and insert "five at \$2,400 each";

Strike out "four at \$2,040" and insert "two at \$2,040 each";

Strike out "two at \$1,740 each" and insert "four at \$1,740 each";

Insert "two at \$1,860 each";

Strike out "two assistants in the library at \$1,740 each";

Laborers: Strike out "one in Secretary's office, \$1,680" and insert "two in Secretary's office at \$1,680 each";

Document room: Strike out "first assistant, \$3,360" and insert "first assistant, \$2,640";

Strike out "second assistant, \$2,400" and insert "second assistant, \$2,040";

Strike out "four assistants, at \$1,860 each" and insert "three assistants, at \$2,040 each."

#### SALARIES AND POSITIONS UNDER SERGEANT AT ARMS OF SENATE

Mr. LEWIS submitted the following resolution (S. Res. 253), which was ordered to lie on the table:

*Resolved*, That the Committee on Appropriations, or any subcommittee thereof having charge of the preparation of the bill making appropriations for the legislative establishment for the fiscal year ending June 30, 1937, is hereby directed to make the following changes in salaries and positions under supervision of the Sergeant at Arms and Doorkeeper, to wit:

Deputy Sergeant at Arms and storekeeper: Strike out "\$4,440" and insert "\$5,400";

Clerks: Strike out "one at \$2,640" and insert "one at \$3,180"; strike out "one at \$2,100" and insert "two at \$2,100 each"; strike out "three at \$1,800 each" and insert "four at \$1,800 each";

Janitor: Strike out "\$2,040" and insert "\$2,700";

Laborers: Strike out "three at \$1,320 each" and insert "two at \$1,320 each";

Skilled laborers: Strike out "five at \$1,680 each" and insert "six at \$1,680 each";

Messengers: Strike out "one at card door, \$2,400 and \$240 additional so long as the position is held by the present incumbent" and insert "one at card door, \$2,400 and \$600 additional so long as the position is held by the present incumbent";

Folding room: Strike out "assistant, \$2,160" and insert "assistant, \$2,400";

Telephone operators: Strike out "13 at \$1,560 each" and insert "14 at \$1,560 each";

Capitol Police: Strike out "captain, \$2,460" and insert "captain, \$3,000."

#### INVESTIGATION OF LOBBYING ACTIVITIES—INCREASE IN EXPENDITURES

Mr. BLACK, from the Special Committee to Investigate Lobbying Activities, reported the following resolution (S. Res. 254), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That Senate Resolution 165 of the Seventy-fourth Congress, first session, providing for an investigation of lobbying activities in connection with the so-called holding-company bill (S. 2796), agreed to July 11, 1935, is further amended by substituting the figures "\$75,000" for the figures "\$50,000", in line 12, page 2, of the resolution.

Mr. BLACK. I desire to state that this resolution is reported by direction of the entire committee appointed under Senate Resolution 165.

#### BOY SCOUTS JAMBOREE—POSTPONEMENT OF A BILL

Mr. COPELAND. Mr. President, on February 20, 1936, the Senate passed the bill (S. 3586) to authorize the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury to lend Army, Navy, Coast Guard, and other needed equipment for use at the National Jamboree of the Boy Scouts of America; and to authorize the use of property in the District of Columbia and its environs by the Boy Scouts of America at their national jamboree to be held during the summer of 1937, and subsequently the House passed an identical bill, which was sent to the Senate, and passed. A motion was entered to reconsider the vote by which the Senate bill was passed, and the House was requested to return the bill to the Senate. The bill has been received, and I now ask unanimous consent that the vote

by which the Senate bill was passed may be reconsidered, and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, is so ordered.

#### CURRENCY EXPANSION—THOMAS-CAROTHERS DEBATE

Mr. FRAZIER. Mr. President, on March 8, 1936, there occurred a radio joint debate under the auspices of the National Economy League, the question discussed being "Is an expansion of the currency necessary and sound?" The affirmative was upheld by the senior Senator from Oklahoma [Mr. THOMAS], the negative position being taken by Dr. Neil Carothers, of Lehigh University. I ask unanimous consent that the two addresses may be printed in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

#### THOMAS-CAROTHERS DEBATE ON CURRENCY EXPANSION

(A radio joint debate under the auspices of the National Economy League, from New York City, on Mar. 8, 1936)

The question discussed was: Is an expansion of the currency necessary and sound?

The affirmative was upheld by Hon. ELMER THOMAS, United States Senator from Oklahoma, and the negative position was taken by Dr. Neil Carothers, of Lehigh University.

For the affirmative, Senator THOMAS spoke as follows:

"This discussion will be in the nature of a debate. Dr. Neil Carothers, of Lehigh University, will join me on this program.

"The following question has been submitted for our answers: Is an expansion of the currency necessary and sound?

"Before attempting to answer the question I must define the issue. The interrogatory presents two questions:

"First. Is an expansion of the currency necessary?

"Second. Would an expansion of the currency be sound?

"The first question: Is an expansion of the currency necessary?

"By an expansion of the currency I do not mean inflation. Inflation means the unwarranted, unjustifiable, and excessive issuance of irredeemable paper currency.

"I do not now and have never favored such a financial policy.

"Knowing the history of nations and the effect of the fluctuation of the value of monetary units upon civilization, I have heretofore and do now condemn inflation as an inhuman crime against the people. However, inflation is no more harmful than deflation. Deflation is the direct opposite of inflation and means the contraction of the amount of currency in circulation.

"By currency I mean gold coin, silver coin, or paper money. By currency I do not mean bank credit. Currency is money. Bank credit is only a substitute for money. While bank credit serves as a medium of exchange and may be converted into money, bank credit is not money. Currency as herein defined measures prices. Bank credit or substitute money does not measure prices.

"The number of currency dollars in circulation, in the main, controls the value of the dollar. An increase in the number of currency dollars in circulation means increasing the supply of price-measuring money units.

"When dollars are plentiful, dollars are cheap; and when dollars are cheap, prices are high. On the other hand, when dollars are scarce, dollars are high; and when dollars are high, prices are cheap.

"The value of money depends upon the number of dollars in circulation.

"If there be those who disagree with the economic principles just stated, then I must leave them to answer, not me but the master financial minds of the thousands of years of recorded history.

"In 1920 money was plentiful—in fact, so plentiful that prices were the highest in decades.

"In 1921 and 1922 prices were lowered by reducing the amount of money in circulation.

"In 1932 money was scarce—so scarce and so valuable that prices were the lowest in generations.

"In 1933 the administration at Washington proceeded to raise prices by lowering the value of the dollar. The value of the dollar in foreign exchange was lowered by reducing the gold content of such dollar. The value of the domestic dollar was and is being reduced through a planned and orderly increase of Federal Reserve notes and a wider use of silver.

"The contraction of the currency just after the World War reduced prices. The expansion of the currency now is increasing prices.

"By expansion of the currency I mean a planned, orderly, and controlled increase in the number of currency dollars in circulation.

"It might be asked: How can we expand the currency in an absolutely safe and orderly manner?

"Under existing law the Federal Reserve System may expand the currency at will through the policy of open-market operations. Under this policy the Federal Reserve banks may enter the open market and purchase bonds and pay for such bonds with Federal Reserve notes. This policy places new money in circulation and thereby directly expands the currency.

"The present expansion of the currency through the issuance of silver certificates presents no problem of currency control. We issue such certificates against newly mined or purchased silver and



the amount of new money placed in circulation is limited and controlled by the amount of silver acquired.

"If money should become too plentiful and prices should rise too high, the Federal Reserve System now holds billions of bonds which could be sold, and thereby any amount of currency may be removed at will from circulation.

"Again I say, currency dollars and not bank credit control the value or buying power of the dollar. The expansion of bank credit will not accomplish the end we seek to attain.

"All must admit that the issuance and placing in circulation of new dollars—be such dollars gold, silver, or paper—will expand the currency, make money more plentiful and thereby cheaper, and the result will be higher prices.

"We had a higher general price level in view when I introduced the monetary adjustment amendment in 1933. The amendment worked. Higher prices are the result of the operation of the law.

"Prices for raw materials and basic American products, while higher than 3 years ago, still are too low to enable producers to pay costs of production and have left a reasonable margin of profit. Until legitimate business shows a reasonable profit, governmental budgets will not be balanced; public borrowing must continue; banks dare not expand their credit; industry must continue to seek Federal loans; and the unemployed must continue to be supported by the Government.

"I contend that an expansion of the currency is absolutely necessary in order to bring about the following imperative accomplishments:

"First. The general price level must be raised sufficiently to permit producers, wage earners, and industry to survive and make reasonable profits.

"Second. Business must be stimulated and profits must be increased in order to make possible the collection of sufficient taxes to balance the Budget.

"Third. The price level must be raised in order to make it possible for banks to renew the policy of making commercial loans.

"Fourth. The price level must be raised prior to any substantial reduction in public relief spending and most certainly before we can stop such spending altogether.

"Fifth. The price level must be raised slightly more before we can possibly have a return of general and permanent prosperity.

"If there be those who disagree with our demand for a slightly higher general price level, then I would call attention to the following facts:

"Today our total tax burden is some \$10,000,000,000 per year. Our total massed interest burden is another \$10,000,000,000 annually; and our total massed debt burden, public and private, is estimated to be \$250,000,000,000. As taxes, interest, and debts increase, the amount of money available to the people must likewise be increased. As taxes, interest, and debts go up, the value of the dollar must come down.

"Those who refuse to recognize and acknowledge the obvious validity of these principles of economics are courting defaults, repudiation, bankruptcy, and disaster.

"Before passing to the second part of the question—Would an expansion of the currency be sound?—permit me to suggest that, as a member of the policy-making branch of our Government, I must consider the money question, not from a theoretical standpoint, not from the viewpoint of any one group or class of our citizens, but from the standpoint of the broad general public interest. However, if I represented a constituency composed of the ultra rich, a constituency owning and operating banks, trust and insurance companies, I would not change my position on the money question in a single particular.

"In order for the holders of bonds, notes, and fixed investments to collect interest and eventually the principal, the debtors must be able to pay. For debtors to pay they must be able to earn profits, and to secure profits the price level at all times must be regulated, adjusted, and maintained in harmonious relationship with the tax, interest, and debt burdens resting upon the people.

"In addition to holding that planned and controlled expansion of the currency is necessary, I contend that such an expansion would be thoroughly sound.

"Let me call attention to the following facts:

"On last Thursday, March 5, we had a total monetary gold stock of \$10,167,000,000. On the same date we had a total monetary silver stock in the sum of approximately \$1,500,000,000.

"On that date our metallic monetary stocks of gold and silver totaled some \$11,667,000,000.

"Our monetary gold stocks amount to almost one-half the monetary gold of the world. Our monetary silver stocks amount to almost one-fifth of all the monetary silver known to exist in the world.

"Against this vast hoard of gold and silver we have in circulation of all kinds of money the total sum of \$5,843,000,000. Tonight we have gold and silver in our Treasury in the sum of almost \$6,000,000,000, which is used neither as money nor as the basis for the issuance of new currency. Our monetary metallic base is sufficient to permit of the issuance of some \$6,000,000,000 of new currency, and each such new dollar would be backed by 100 cents of gold and silver.

"I contend that from the standpoint of financial soundness there would be no obstacle to the issuance of so much new money; however, I have not and do not now advocate the issuance of that much new currency.

"From the beginning of the depression I have demanded, consistently, the restoration of the 1926 general price level. In 1926

business was good; wage earners were employed and the country was prosperous. In that year the dollar was valued, in terms of purchasing power and as measured by the Bureau of Labor Statistics, at 100 cents.

"It is to the value of the 'Coolidge dollar' of 1926 that I wish to have our Government return.

"I am frequently asked as to the amount of new money necessary to be placed in circulation to restore the 1926 price level. No one could answer such a question accurately, and any answer would be only a guess.

"In 1921 and 1922 some \$1,500,000,000 of real money were taken out of circulation and the result was a fall of 50 percent in prices. At this time I do not think it would require so large a sum to accomplish the purpose we have in mind—the restoration of the Coolidge era of prosperity price level.

"In conclusion, using the gold and silver in our Treasury as the basis, those who seek to refute the economic principles controlling the value of money as outlined tonight must argue with the history of nations.

"If it is contended that the expansion of the currency will not raise prices, then why oppose the policy?

"If it is contended that prices can be raised by an expansion of bank credit, then, in 1930, when bank credit was inflated to the highest point in history, why did we not have correspondingly higher prices?

"If it is contended that the general price level is now high enough, then why are budgets unbalanced; why are banks not making loans, and why do we have millions unemployed and other millions on public relief?

"We have tried every form of relief save following through with the monetary-adjustment program. Insofar as we have gone satisfactory results have been secured. Only a short section of the road remains to be traveled.

"The money question is primarily a domestic problem; however, national and international stabilization of currencies must precede permanent world-wide prosperity and economic stability. But before we are ready to consider permanent international stabilization of the dollar in foreign exchange we must regulate and adjust the value of such dollar so as to serve best our own domestic economy.

"Our foreign-exchange dollar with its present gold content is perhaps approximately correctly valued.

"Our domestic dollar—being neither tied to nor redeemable in gold—is more valuable than our foreign-exchange dollar, and it is the excess value in the domestic dollar over the foreign-exchange dollar that we demand should be eliminated.

"Our policy of maintaining a dual-valued dollar is responsible for the enormous influx of gold coming to America. This gold depletes the basis for the stability of the currency of our 'good neighbors' and has forced our Government to build a prison in Kentucky for its protection.

"In order to reduce the value of the domestic dollar to a value comparable to the value of the foreign-exchange dollar; in order to balance the Budget; in order to make it possible for banks to resume the making of commercial loans; in order to reduce unemployment, and in order to check and eventually remove the necessity for public-relief spending, I contend that a slight additional expansion of the currency is necessary and that such expansion will be sound."

For the negative, Dr. Carothers spoke as follows:

"I have been invited by the National Economy League to join with Senator ELMER THOMAS in a brief discussion of this question: 'Is expansion of the currency necessary and sound?' While I did not have the opportunity to know in advance just what Senator THOMAS would say in the broadcast he has just finished, he very courteously outlined for me what he has in mind, and by this courtesy he has enabled us to come together on a concrete issue, without any shadow boxing with the grave matters before us.

"Let me say in advance that I am convinced that Senator THOMAS and I have identically the same aim, that both of us are concerned only with the welfare of our country. I recognize that Senator THOMAS has in the past 3 years played a leading role in the monetary policies of the Nation. My appreciation of the dignity and importance of his position in our country's Government is equaled only by my disapproval of his views on our monetary policy. If I am blunt in my discussion of these views, it is only because of the importance I attach to any proposals that he has presented to you.

"The economic system which supports our more than a hundred million people is the most complicated machine in the history of the world; and in this great, complicated machine, money is the most complex and delicate of all its parts. The first principle of the science of money is that the effects of money changes on prices and prosperity are always different from the surface effects that everybody can see.

"This idea that prosperity can be promoted by expansion of the currency is very old. It was used by John Law 200 years ago, when he explained to King Louis how expanding the currency would make every Frenchman rich, and ended up by making nearly all Frenchmen paupers. It was used by Members of the First Congress of this Nation, the Continental Congress, in favor of an expansion of the currency that bankrupted the war-torn Colonies. It was used again in our Civil War, in favor of an expansion of the currency that would have cost the North the war if the South had not been persuaded by its Congressmen to make a still larger expansion of the currency. It was used in support of the famous inflation law of 1933, which popularly bears the name of Senator



THOMAS himself, under which we have already followed a policy of currency expansion so wholeheartedly that we have destroyed our monetary system.

"This argument for expansion of the currency has been advanced in the United States in every depression since 1860. It is the only economic argument advanced by the advocates of the Townsend delusion. This one notion about money has probably caused more suffering than the belief in witchcraft.

"Let's examine this argument for expansion of the currency. Here it is. A depression is a condition of low prices, slack trade, unemployment, reduced spending, and diminished consumption. These are obviously tragic things, causing heartache and suffering. The way to cure these great evils is to increase spending. You can increase spending by forcing money into circulation. The money, like the music, goes round and round. I almost said: 'Yo, ho.' The money increases demand, stimulates business, and encourages employment. Debtors are relieved. Production is promoted. The depression is ended. Government is the only agency that can print money. It can force it into circulation by boondoggling or by subsidies to favored groups or by supporting a horde of bureaucrats. Therefore, the proper procedure in times of depression is for the Government to pump paper money into circulation. Whatever the excuse for the spending, the plan is always to use the power of the Government to pour out printing-press money, and the argument is always this argument that the money will go round and round and revive business.

"What's wrong with this idea? In the first place it is too simple. It is like those puzzle contests in which the reader thinks he will get a prize for filling in the missing letters in the name of the great city, N-W, Y-K. It's too easy. If this scheme would work there never would be a depression. Just as soon as one started Congress would merely pump out some paper money and the depression would be over. Forget money theory for a moment and consider the fact that no depression in history has ever been ended by the issue of paper money.

"The paper-money argument ignores the plain facts about money. We live in a credit economy, in which circulating money, whether gold or paper, does about one-tenth of our business. The other nine-tenths is done with credit instruments, chiefly checks drawn against bank deposits. These bank deposits grow out of business activity. Thus business activity creates its own currency. There simply is no such thing as not having enough currency to carry on business. What a country needs in depression is not more money but more business activity. And now we come to the most important fact of all. The surest and most vital encouragements to business are these three: Confidence in the future of business, confidence in the soundness of the money system, and confidence in the good sense of the Government.

"The issue of paper money by government in small quantities has no important effect whatever on employment, on consumption, on business. It goes into circulation briefly, builds some useless bridge across a creek, or pays for some lessons in tap dancing, and then goes into banks to swell the deposits. It does not go round and round. It stops right there. All that it has done is to add to Government debt. Our Government has spent, in exactly 3 years, in an effort to stimulate business, the almost incredible sum of \$20,000,000,000, and here we are tonight, 6 years after the depression began, solemnly debating the question whether two billions more will end the depression. Senator THOMAS, coming from Oklahoma and knowing horses, knows what pushing on the reins does. It does not make the horse go. It slows him down or makes him run away. Pumping paper money into circulation is just pushing on the reins. If you issue a little, it does nothing. If you issue a lot, it makes the economic horse run away.

"Let us face here tonight some very unhappy facts, simply because facing them is the only way to save the country from a final disaster. In 1933 this country reached the bottom pit of depression, the low point in economic stagnation. The turning point had been reached. In the spring of that year Congress passed the money law which bears Senator THOMAS' name. This law permits inflation of the currency by every known method. At the time the law was passed this country had 40 percent of all the monetary gold on earth, much more than was needed to meet all public and private debts, much more than was needed to finance recovery. Even before the law was passed the Government had repudiated its solemn obligations both at home and abroad and had confiscated nearly \$5,000,000,000 in gold belonging to private citizens. Since the law was passed we have debased our gold coinage 41 percent and adulterated what is left of our gold standard with a billion dollars in useless silver. The ostensible purposes of this strange program were to raise prices to the 1926 level, to relieve debtors, and to end depression. Do you recall what Senator THOMAS said the bill would do? He said that it would take \$250,000,000,000 from the rich, who had it, and give it to the poor, who did not have it.

"What are the results of this law after 3 years? Has it ended unemployment? There are 10 million still unemployed. Has it ended depression? There are still 20,000,000 persons on relief. Has it raised prices to the 1926 level? General prices have risen just 9 percent since the dollar was debased 41 percent. Has it taken the wealth away from the rich? The rich have become richer in the past 3 years, some of them directly through this devaluation law.

"So much for what this 1933 law to expand the currency has not done. Let's see what it has done. First, it has destroyed our money system. We have no standard money. We have only a

floating mass of nondescript, irredeemable paper money, while there lies in the Government vaults a great mass of idle gold and silver, so dead that the Government is planning to bury it in a hole in Kentucky. Second, it has retarded recovery all over the world by sucking gold from foreign countries badly in need of it, by demoralizing the recovery of foreign trade, and by preventing the international stabilization of currencies on which world peace and world prosperity alike depend. Third, and worst of all, it has set the stage for a calamitous inflation. The failure of the whole money program led the Government to a desperate effort to squander its way out, which has resulted only in a huge burden of debt and a vast accumulation of unused private bank deposits.

"There are \$11,000,000,000 of idle gold and silver in the vaults. Yet the total circulation of money in the country is less than \$6,000,000,000. The difference of five billions measures the gigantic failure of 3 years' effort to expand the currency. All that it has done is to prove once more the elementary principle that business creates currency, not currency business.

"And now tonight we have presented to us a proposal to issue two or three billion dollars of paper money. For 3 years they have taken the horse to water and tried to make him drink, and we are now considering a plan to put a little more water in the tank. And this when there are freely available at any moment that business can use it enough excess reserves and unused bank credit to provide any sum up to a hundred billion dollars. It is proposed to issue this paper money against the gold and silver in the vaults. But that gold is locked up and a new issue of paper money would be merely an unneeded addition to the floating mass of irredeemable paper we now have.

"The mounting Government debt, the swollen bank deposits, and the excess bank reserves make an explosive combination ready to blow up in a headlong inflation. Did you see where a great university has asked authority to change its bond assets to more speculative securities in a last effort to save its endowment from inflation? Do you see the advertisements offering to tell rich men how to protect their fortunes against inflation? The issue of unneeded paper money at this time might easily be the match to set off this explosion.

"Senator THOMAS and I have the same desire here tonight. We both want to see the end of a depression that ought to have been over long since. We both want to see an end to unemployment and distress. We both want to see this country escape the miseries of inflation. But we differ fundamentally as to the policy to achieve these ends. I am going to tell you here how we can end depression and avoid inflation. Have the Government quit spending money like a drunken sailor. Have the Government restore an honest gold-standard currency. And have the Government guarantee to the people that juggling the currency will not again be tried in this Nation. It has suffered enough already."

#### REGULATION OF IMMIGRATION

Mr. REYNOLDS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Pittsburgh (Pa.) Sun-Telegraph of March 9, 1936, entitled "Control Aliens."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Pittsburgh (Pa.) Sun-Telegraph of Mar. 9, 1936]  
CONTROL ALIENS!—THE REYNOLDS BILL FOR THE REGULATION OF IMMIGRANTS SHOULD BE PASSED

The bill of Senator REYNOLDS, of North Carolina, requiring the registration of all aliens in this country, a rigid system of selective immigration and the deportation of all undesirables, will appeal to every patriotic and intelligent American as a needed regulation in a very important field of Government responsibility, and should be promptly passed.

The purposes of the bill are several, and each is vital.

It would rid the country of lawbreaking aliens and bar the entrance of aliens who are criminally communistic or associated with any organization advocating the overthrow of our Government by force and violence.

It would also relieve the Federal and State Governments, as well as private charitable organizations, of the expense of maintaining a horde of destitute foreigners in addition to the millions of our own people who are now dependent on our overstrained relief agencies, both public and private.

Another merit of the bill is that it would simplify the problem of finding reemployment for Americans who are out of work by saving available jobs for our own citizens.

The registration and fingerprinting of all aliens in the country would be required, and in addition there would be set up under the bill a system of intelligence tests for admission of immigrants to this country and effective machinery for the prompt deportation of undesirables.

The extent to which the influx of aliens under our present lax administration adds to the burdens of our citizens was revealed by Senator REYNOLDS in his speech in the Senate accompanying the introduction of his bill.

"In 1935", he said, "189,000 aliens of all classes were admitted; in 1934 the number was 163,000; and in 1933, 150,000.

"Each year since 1933", he continued, "we have admitted more and more immigrants in disregard of our millions of Americans who were seeking employment on every hand and in every section of the country."



The Reynolds-Starnes bill is a constructive step in the direction of a solution of our alien problem.

It is infinitely to be preferred to the Kerr bill, sponsored by the Department of Labor.

Unlike the Kerr bill, it substitutes impersonal and legal tests for admission and deportation instead of the discretionary powers asserted by the administration and so liable to abuse.

The Reynolds-Starnes bill does not attempt to deal with so-called deportation hardship cases, which are in part the subject of the Kerr bill.

The much needed power to exclude or expel any person whose presence or activities are inimical to the public interest is, by the terms of this bill, confided to the Executive.

It would be better that this power should be lodged in the courts to insure its impersonal exercise in accordance with the law, and nothing else.

To confer it upon the Executive is, in effect, to lodge it with an Executive subordinate, and to invite abuse through an unwise amplitude of discretion.

The power, however, to exclude or expel undesirables is one which is possessed and exercised by every enlightened nation save our own.

This country is dedicated to liberty, and only those who love liberty and will maintain and defend it, and not abuse it, should be allowed to immigrate to our shores.

In fact, the Reynolds-Starnes bill shows careful drafting and a just appreciation of the grave abuses that have resulted from our weak and vacillating policy with regard to immigration.

It not only points the way to a just solution of this vital administration problem, but travels far along the way of achieving such a solution.

#### WILL CONGRESS FAIL?—EDITORIAL FROM THE CHARLESTON GAZETTE

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the Charleston Gazette of March 5, 1936, entitled "Will Congress Fail?" This editorial was written by a distinguished and beloved former Member of this body, Hon. William E. Chilton.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Charleston (W. Va.) Gazette of Mar. 5, 1936]

#### WILL CONGRESS FAIL?

Life is short, maybe too short. Few men live to see their original thoughts accepted. Socrates, centuries before Jesus, exposed the errors of the old thought, died for the idea that the soul is immortal. The people from whom descended the men and women who now grapple with the problems of life in the United States, lived through centuries when thought was a slave to tyranny, ignorance, and superstition. Copernicus, Galileo, and Roger Bacon, dared not to express the thoughts that later gave us modern machinery and most of the conveniences of home. Yes; any new deal has always been dragged through and over all the rough going that entrenched power could devise. Those who have thought ahead of their day have been made to suffer or die. People have acted like children called upon to swallow castor oil after taking calomel.

Take these thoughts to your study and consider them in connection with human impatience, such as expected Washington to defeat England, when his army was ragged, hungry, and without guns and ammunition. The fellows who are always united to preserve the status quo can always find a plausible reason, and the means for checking for awhile the wagon of progress. Those now seeming only to acquiesce in the demand for relieving the farmer, the worker, and the small-business man, are saying: "Go on and amend the Constitution; if the people want to change it, the Constitution provides the way." Then they look for a roar of "ayes". In the first place, a proposal to amend must receive the affirmative vote of two-thirds of both branches of Congress. That is hard to get even after the subject matter has been fully discussed and considered.

But the proposed amendment is not submitted to the people but to the legislatures of the several States, or to conventions in the several States, "as the one or the other mode of ratification may be proposed by the Congress." The "people" must take their consolation in the words, "We the people of the United States" in the caption. Below those words the "people" are left to "cut in" as, if, and when they may be able to do so.

Draw near and observe that—

1. It requires three-fourths (now 36) of State legislatures or conventions to ratify an amendment.

2. There is no provision for selecting the members of the conventions. Why can they not be appointed? The Tories and their henchmen are always organized to check any progress but their own.

3. It would require, in most of the States, at least 4 years to change the political complexion of both branches of the legislatures of 36 States. The people vote tickets made and alined on partisan issues. It is difficult—almost impossible—to elect State legislators committed to the ratification of a constitutional amendment. There is almost the certainty that other State questions and personal considerations will complicate the election issue; and where one of the leading political parties goes a hundred percent Tory, and seeks to draw the decisions of the courts into an attitude of endorsement of governmental policy, then Congress is challenged, as was the English Parliament under the leadership of Cromwell.

The people cannot turn out a Federal judge as they can a Member of Congress. The framers of the Constitution, however, provided for this contingency of public demand and national necessity on one hand, and an opposition with magnifying glasses looking for constitutional points to delay or obstruct the legislative branch. In England that kind of a clash between the legislative branch and a stubborn king, claiming prerogatives hateful to the people, lost the head of that king and the throne of another; and it delayed, but did not destroy, the onward march of Anglo-Saxon freedom. The acts of Parliament are now the "supreme law of the land" in England.

Congress has the constitutional power to end the present emasse. That power is written in plain English in section 2, article 3, of the Constitution.

But the people are helpless until and unless the Congress shall exercise that power to "protect its prerogative."

No case involving the A. A. A., the N. R. A., or any other economic policy can go to the Supreme Court except an appeal.

This section 2, article 3, of the Constitution is not a stranger to the courts. It has been construed by the Supreme Court to mean exactly what it says:

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction." That means that such cases may be instituted in the Supreme Court. Section 2 then provides:

"In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Congresses in the past have made "exceptions" and "regulations" to the exercise of the appellate power, and the Supreme Court has governed itself by these "exceptions" and "regulations."

The cases in which the Court has recognized the power of Congress to make "exceptions" and "regulations" to the grant of appellate jurisdiction have been cited in the House by Congressmen RAMSAY, of West Virginia, and CROSS of Texas—probably by others of which we are not advised.

From the speeches of these Congressmen, we can cite the following cases, 260 U. S. 226; 3 U. S. 321; 105 U. S. 381; 148 U. S. 372; 210 U. S. 281.

What is the matter with the Congress? The people cannot exert their power nor express their will except through the Congress. The Court exercises its power—granted, inferred, or usurped—when opportunity presents itself. Thus the Court's decisions become the "supreme law of the land." What is Congress doing to "protect its prerogative" of being the repository of "all legislative power"? Was the Congress bluffing when it passed the laws constituting the New Deal? If not, why not regulate the appellate power and make such exceptions as may be necessary, at least to avoid the consummation that it is the supreme law of this land that the Congress has no power to help the farmer. Power? Congress has the written grant and needs only the will. If the Congress refuses at this time to exercise its granted power, then the people will decide in November whether that is the kind of Congress they want in Washington.

#### ADMINISTRATION OF OATH TO SENATORS IN THE IMPEACHMENT TRIAL

Mr. McNARY. Mr. President, I am advised that the junior Senator from Vermont [Mr. GIBSON] desires to take the oath as a juror in the impeachment proceedings.

The VICE PRESIDENT. After a thorough survey of the situation, the best judgment of the Chair is that Senators who have not heretofore taken the oath as jurors of the court should take it after the Senate resolves itself into a court; all Senators who have not as yet taken the oath as jurors will take the oath at that time.

Mr. ROBINSON. Senators who have not taken the oath should take notice now that the opportunity to do so will be afforded when the court convenes at 1 o'clock today.

#### MEASUREMENT OF VESSELS USING THE PANAMA CANAL

The Senate resumed consideration of the bill (S. 2288) to provide for the measurement of vessels using the Panama Canal, and for other purposes.

The VICE PRESIDENT. The question is on the adoption of the amendment in the nature of a substitute offered by the Senator from North Carolina [Mr. BAILEY] for the committee amendment.

Mr. GORE. Mr. President, I feel almost like apologizing to the Senate for taking any of its time in a further discussion of the pending legislation, but I feel that a duty rests upon me as chairman of the committee to make some further presentation of the subject.

The main points in the controversy have been discussed over and over, time and time again. I shall therefore try to avoid vain repetition, although I do not hope to be completely successful. I shall in the main address myself to the points raised by the Senator from North Carolina [Mr. BAILEY] in his remarks 2 or 3 days ago. I shall try to bring



the discussion back, as it has wandered afield, to the fundamental or to the practical issues which divide the opponents and proponents of the measure.

The practical issue is whether the United States shall regulate and prescribe the tolls which shall be charged and collected on ships transiting the Panama Canal or whether the tonnage and tolls shall be determined by the shipping concerns themselves. That is the practical point involved in the controversy. I should think it unfortunate if the discussion should turn on the use or the misuse of any particular word. Two or three days ago I referred to the pending substitute as a "sham." I find on consulting the dictionary that some of the synonyms of "sham" carry an offensive implication. I disclaim any intention or purpose in my use of the word to convey any such implication. Some synonyms do not carry such an implication, but I withdraw the word entirely, because I wish to eliminate any extraneous questions from debate.

I may not be able to follow the Senator from North Carolina [Mr. BAILEY] in the order of his presentation, but I shall at least begin at the beginning. The Senator from North Carolina stated that he intended to show from the record that, so far as we have any evidence whatever, the shipping interests are supporting the pending legislation. He then added very frankly, "That is a bald statement."

I always like to agree with the Senator from North Carolina, and upon that point at least we are in present agreement. It was a rather bald statement that, so far as we have any evidence whatever, the shipping interests are supporting the pending legislation.

I think, however, there is one other point upon which we will equally agree. That statement is either right or it is wrong. The statement that the shipping interests are supporting this legislation is either correct or it is incorrect. That statement is either supported by the evidence or it is not supported by the evidence. The Senator from North Carolina said that it is supported by the evidence. I say that it is not supported by the evidence.

Not only do I say it is not supported by the evidence, but I say it is contradicted by all the evidence. I undertake to say that so far as the record goes and so far as I have been able to search it, there is not a single witness in all the record to support that statement. So far as I have been able to search the record, there is not one word of evidence to sustain that statement.

This is not a matter of inference or deduction or speculation. It is a matter of fact which can be determined by evidence and by proof, and I shall furnish the proof.

I wish to observe first, however, that it would be strange indeed if every Governor of the Canal Zone for the last 20 years has been urging this legislation, to find that they had, or that they now have, the support of the shipping interests in furthering the legislation.

It would be strange if every Secretary of War since 1914 has urged this legislation to find that the shipping interests have been, or now are, supporting the pending legislation. That would be a revelation.

It would be passing strange if President Wilson was, and if President Roosevelt now is, supported by the shipping interests in their desires to further the passage of the pending legislation.

It is strange that the Senators from the great shipping State of Maine should be here fighting the proposed measure if we should find the shipping interests in their State are supporting this legislation.

It would be strange indeed to find that the Senators from the great shipping State of New York are opposing this legislation while the shipping interests in their State are supporting it.

It would be wondrous strange to find that all Senators from the Pacific Coast States, I believe with one notable exception, are in array against the pending legislation and strange to find that the great shipping interests on the Pacific coast are supporting the measure.

Mr. President, upon what evidence does the Senator from North Carolina base his statement that the shipping inter-

ests are supporting the legislation? He invokes the evidence of two witnesses, Mr. Duff and Mr. Petersen. I send to the desk a salient statement in each one's testimony, which I ask to have read to the Senate.

The PRESIDING OFFICER (Mr. CONNALLY in the chair). Without objection, the clerk will read as requested.

The legislative clerk read as follows:

Mr. PETERSEN. Mr. Chairman, I would like to say on behalf of the Pacific coast interests that I have represented them here for about 4 years now, and that we are in hearty accord with the suggestions of the Governor of the Canal that there should be a single system of measurement. We have been on record on that, time after time. \* \* \* So that we are all in favor of the single system of measurement and have been for a long time.

Mr. DUFF. Mr. Chairman, I merely would say in conclusion, that in reply to what Congressman Denison stated, I do not believe it quite correct to say that steamship companies would never agree to a plan for a single system of measurement. On the contrary, a single system of measurement is considered desirable. But we do protest strongly against any toll assessment under a new system that will increase the present total tolls assessed on American ships.

Mr. GORE. Mr. President, the Senator from North Carolina has evidently confused as identical two things that are different. Both of these witnesses declared that they are opposed to the dual system of measurement. The dual system is so indefensible, it is such a self-evident and preposterous absurdity, that neither of those gentlemen was willing to go on record as favoring the dual system of measuring ships passing through the Panama Canal. A dual system which permits the *Empress of Britain* to pass through the Panama Canal, paying \$12,000 less per transit than when she passes through the Suez Canal, did not appeal to these two gentlemen as just; and I will say that Mr. Petersen is a rather audacious gentleman and would not hesitate to defend whatever he thought was defensible. But it does not follow, from the statement that they oppose the dual system of measurement, that they favor and that they are supporting the pending measure, because that is not a fact.

I send to the desk the last hearings held on this subject before the Senate Committee on Inter-oceanic Canals, and I ask to have the clerk read the marked names as they are numbered—the names of the representatives of the shipping companies and the companies represented.

The PRESIDING OFFICER. Without objection the clerk will read, as requested.

The legislative clerk read as follows:

Statement of W. J. Petersen, Pacific American Steamship Owners' Association of the Pacific Coast.

Mr. GORE. Mr. Petersen appeared before the committee not in support of this measure but against it.

The legislative clerk read as follows:

Statement of Ira L. Ewers, McCormick Steamship Co. and Charles Nelson Co., Sudden & Christensen.

Mr. GORE. Mr. Ewers appeared in opposition to this measure, and not in support of it.

The legislative clerk read as follows:

Statement of A. J. McCarthy, vice president, American Lines Steamship Corporation.

Mr. GORE. Mr. McCarthy appeared in opposition to the bill, and not in support of it.

The legislative clerk read as follows:

Statement of R. R. Adams, vice president, Grace Lines, Inc.

Mr. GORE. Mr. Adams appeared, not in support of the bill, but in opposition to it.

The legislative clerk read as follows:

Statement of H. W. Warley, vice president, Calmar Steamship Corporation and Ore Steamship Corporation.

Mr. GORE. Mr. Warley appeared in opposition to the measure, and not in its favor.

The legislative clerk read as follows:

Statement of Oliver P. Cromwell, traffic manager, Luckenbach Steamship Co.

Mr. GORE. Mr. Cromwell appeared as a witness opposing the legislation, and not supporting it.



The legislative clerk read as follows:

Statement of D. S. Morrison, vice president, Williams Steamship Corporation, and assistant chairman, executive committee, American Hawaiian Steamship Co.

Mr. GORE. Mr. Morrison appeared in opposition to the bill, and not in support of it. He has been doing us the honor to sit in the gallery during this debate.

Mr. BAILEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. GORE. I do.

Mr. BAILEY. Will the Senator permit me to read just a few lines from the concluding paragraphs of the majority report of the Senator's committee?

Mr. GORE. Yes.

Mr. BAILEY. I read from page 11, as follows:

This whole subject has been so well summarized in an editorial of the March 1935 issue of the *Marine Review*, a journal devoted to the interests of shipping, that your committee begs leave to quote the following paragraphs from said editorial:

"The Panama Canal rules are the logical standards for assessing the tolls"—

This bill proposes to establish the Panama Canal rules—

"They represent a thorough survey and study of vessel management. They embody the experience of the past. By adopting a single system, using these rules, endless controversy and continual inconvenience are forever eliminated.

"Keeping these rules as the basis, with whatever amendments may be necessary to suit present-day standards and types of ships, and an agreed-upon fair charge per ton"—

Precisely what the Senator contends that this bill does—

"will bring about a solution once for all of this controversial subject which will be satisfactory to all fair-minded men."

That is from the report. I take it that it will not be denied that the *Marine Review* is a journal devoted to the interests of shipping, and it will not be denied that the majority report concludes with the statement from the magazine representing the shipping interests, and quotes it as supporting the proposed legislation.

I am not making any contention here as to the facts. I am simply saying what the evidence is.

Mr. GORE. Mr. President, the *Marine Review*, like the two witnesses referred to, could not make a stand against the discontinuance of the dual system of measurement. I do not think it has any defense. It has few, if any, defenders.

In order further to present the attitude of the shipping interests of this country in respect to the pending measure, while I had not intended to do so, I should like to have read to the Senate the list of witnesses appearing in the House hearings of last year.

Mr. DUFFY. Mr. President, will the Senator yield before the reading begins?

Mr. GORE. Yes; I yield.

Mr. DUFFY. Is not the question that is up here now as to the position of the shipping interests? I think nobody will deny that every representative of a shipping line vigorously opposed the bill, and is still opposing it. The question of shipping interests, however, may be broader than that.

Mr. GORE. Yes, sir; there is no doubt about that. I will say that there may be shipping companies and associations in this country which do favor the pending measure. Those shipping concerns which have not abused the privilege, have not manipulated their structures, have not availed themselves of these devices to reduce their tonnage and to reduce their tolls, might well favor the passage of this measure. It would protect them against unfair competition. My point was, they have not so far appeared and testified before any committee of either branch of Congress, so far as I know.

The PRESIDING OFFICER (Mr. POPE in the chair). Without objection, the list of witnesses referred to by the Senator from Oklahoma will be read.

The legislative clerk read as follows:

Statements of Ira L. Ewers, J. Alex. Crothers, Edward P. Farley, D. S. Morrison, Edgar F. Luckenbach, A. J. McCarthy, R. R. Adams, R. H. Horton, W. J. Petersen.

Mr. GORE. The first list of witnesses, I believe, named 8 different witnesses, representing 13 concerns. I believe there are some 9 or 10 witnesses in the list just read, all of whom represent shipping companies or shipping associations.

Mr. President, we are not left in any doubt as to the position of Mr. Petersen, who, I believe I may say, was one of the star witnesses of the Senator from North Carolina. We are not left in any doubt as to what his attitude is in regard to the pending bill; and I ask that the clerk may read from his testimony on page 41 of the hearings before the Senate committee.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

We would, therefore, suggest the elimination of section 1 of the bill, pass section 2, eliminate section 3, and provide for the appointment of a committee to consider the whole subject matter and report back its findings, and then this committee and the committee in the House could proceed more intelligently than at the present time.

Mr. GORE. Now I ask to have the clerk read as marked on page 43.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

If you insist upon the passage of a bill, pass one that will settle controversies by eliminating section 1 of this bill, thus permitting conditions to remain as they are for the time being and until a committee reports its findings, as provided in section 2.

Mr. GORE. Mr. President, Mr. Petersen is one of the witnesses referred to by the Senator from North Carolina. The Senate has just listened to his statement, read from the hearings. What does Mr. Petersen recommend?

When Senate bill 2288 was originally introduced it contained three sections—1, 2, and 3. What did Mr. Petersen recommend? That the committee strike out section 1, which is the substantive part of the bill; Mr. Petersen recommended that the committee strike out section 3 of the bill, which provided when the different sections should go into effect; and Mr. Petersen recommended that the committee report, and the Congress pass, section 2 of Senate bill 2288.

What was section 2 of Senate bill 2288? It authorized the President to appoint a commission to make a study of the subject and report back. Section 2 of that bill is almost identical with the pending substitute, offered as an amendment by the Senator from North Carolina. In fact, in his remarks the Senator from North Carolina stated that he had taken section 2 of the original bill and had embodied it in his substitute.

Mr. Petersen wished to mutilate this bill, as I see it. He wished to strike out section 1, which is the substantive legislation in this measure. He desired to have the committee report and the Senate pass a measure creating a new commission to make another study of Panama Canal tolls.

Mr. Petersen wished the committee to report section 2 alone, which is now pending in the substitute; but the committee preferred to take the advice and recommendation of the half dozen or more Governors of the Panama Canal Zone. The Senate committee preferred to take the advice and the recommendations of the dozen Secretaries of War, every one since this question arose, including both Democrats and Republicans.

The Senate committee did not respond to Mr. Petersen's recommendation; and I hope the Senate will not now accept the recommendation of Mr. Petersen in the premises but will, rather, rely upon the recommendation of the responsible and constituted authorities of the United States.

Let us suppose that Mr. Petersen's recommendation is adopted by the Senate. Let us suppose that this substitute shall be agreed to and be enacted into law.

What, then, will be our situation with reference to this much-controverted subject? Will the shipping interests acquiesce in the report of this new commission when it shall be submitted?

President Wilson promulgated the existing Panama Canal rules in 1913. They were predicated upon an exhaustive report which had then recently been made, the most



exhaustive and, as high authority has stated, the best report upon the subject ever submitted in any language. This report had but recently been made when President Wilson promulgated the rules for measuring the Panama Canal tonnage and the tolls to be applied and collected for the passage of ships through the Canal.

Were the shipping interests concluded by that? Did they acquiesce in that? Did they accept the recommendations as scientific, sound, just, and equitable? The shipping interests protested the proclamation of President Wilson, and their protest eventuated in the ruling on the part of the Attorney General, which brought all this confusion upon us.

Mr. President, only 4 years ago, in 1932, the Bureau of Efficiency prepared and submitted an elaborate report on the subject of measuring vessels transiting the Panama Canal and on the subject of the proper tolls to be charged. I hold that report in my hand. It covers more than 80 pages. It concludes with a series of recommendations, which I will print in my remarks without taking the time to read.

This report was up to date when it was submitted. Did it conclude the shipping interests? Did they acquiesce in the report? Did they agree that it was modern, and up to date, and scientific, and just, and equitable? Not at all. At the very next session of Congress which convened after this report was submitted another hearing was had in the House of Representatives, and the shipping interests appeared as one man in opposition to the proposed legislation.

Not only that; on the second day of January last year the shipping interests submitted a questionnaire to the Panama Canal authorities. Twenty-nine questions were submitted. An exhaustive and comprehensive reply was made by the authorities of the Panama Canal, and that reply is contained in the House hearings of last year at page 60. The statistical results of that hearing are contained in the last Senate hearing at page 106, covering practically all the controverted points, exhausting the subject.

Were the shipping interests concluded by the answer submitted on the part of our authorities to their own questionnaire? Did they acquiesce in the conclusions? Did they discontinue their fight to control tolls themselves by manipulating their vessels? Not at all.

A hearing was then in progress, and a hearing has since been conducted by the Senate, and in spite of these four investigations, extending from 1912 down to last year, they have persisted in their opposition to the proposed legislation without variableness or shadow of turning.

Mr. President, if the proposed substitute be enacted, another investigation will be held, and the recommendations of the investigating body will correspond in the main with all the other reports, beyond any doubt, and when the new report is submitted will it meet with any more favor in the eyes of the shipping concerns than have these comprehensive reports in the past?

Mr. President, it is not more facts the shipping interests desire to obtain. It is less tolls that they wish to pay. That is their motive; that is their object; and if they can adjourn the day when they will be required to pay just, reasonable, and uniform tolls, they will have scored a victory. If the proposed substitute is adopted, it will not further the final determination of this issue; it will not eliminate an insuperable, obstructing object in the way. It will only mean one more investigation, it will only mean one more report, in our progress toward the 7th report to be sought and obtained by the shipping interests. As long as they can resort to this method of postponing the day when the dual system shall be abolished, they will escape payment of the tolls which they ought to pay the Government of the United States for using the great facility placed at their convenience at the expense of the people of this country.

Mr. President, I want Senators to look this situation in the face, because there is an anomaly about it which cannot fail to challenge their attention and challenge their interest. The existing Panama Canal tolls measure was enacted in 1912. It fixed a maximum toll of \$1.25 per ton; it fixed a minimum toll of 75 cents per ton. It authorized the President, after investigation, to fix and prescribe an official toll

to be charged and collected at some point between those two limits, between the maximum and the minimum. In his proclamation the President fixed \$1.20 per ton as what was then regarded as a just and reasonable toll. One dollar and twenty cents was the official toll promulgated.

What does the pending measure propose? It proposes to reduce the maximum toll of \$1.25 to \$1 per ton, and the shipping interests are opposed to that. The pending bill proposes to reduce the minimum toll from 75 cents to 60 cents per ton, and the shipping interests are opposed to that reduction.

If the President should accept the recommendation which the Secretary of War has made public, the President of the United States would fix the official toll at 90 cents a ton instead of \$1.20 a ton, the present official toll.

The shipping interests are opposed to reducing the official rate from \$1.20 to 90 cents. Is there not something strange about their opposition to this? Why would the shipping interests insist upon retaining these high rates, instead of laboring in season and out in support of this measure in order to reduce the rates? There is a reason, and that reason grows out of the dual system of measurement as applied to vessels passing through the Canal.

In 1913 the President prescribed the rules for measuring vessels passing through the Panama Canal, and fixed \$1.20 a ton as the official rate. That was challenged by the shipping interests on the western coast, and the Attorney General of the United States held that the phrase "per net registered ton", as used in the Panama Canal Act, did not apply to net registered tons as ascertained under the Panama Canal rules of measurement, but as ascertained under the United States rules of measurement, as they are called.

The Panama Canal rules of measurement are based on the earning capacity of the ship, based on the cargo-carrying capacity of the ship. The United States rules are not. They had been evolved during several generations, with a view not to ascertain the earning capacity of the vessel, but with a view to cutting down the harbor tolls and the port charges in ports where our vessels enter, here and abroad. Because other countries accept our tonnage certificates, by comity we accept the tonnage certificates of the vessels of other countries.

The charges are low, and there has been a sort of competition to exempt this space and that space, and to cut down the tonnage under the United States rules of measurement in order to cut down these port charges and harbor dues.

The rules of measurement are not at all suited to the Panama Canal. When the Suez Canal was first opened, it adopted that sort of system, taking the measurements of different countries as the measure upon which tolls should be levied in transiting the Suez Canal. It was soon found that they were utterly inapplicable; and a different system, based upon the earning capacity of the ship, was substituted. The Panama Canal rules of measurement promulgated by President Wilson in 1913 were based on the same principle in the light of that experience—that is, based on the earning capacity of the ships.

Let us see how this thing works. Let us say that a Japanese ship—and I want to say that Japan was one of the latest offenders in this matter—let us say that one of these new Japanese ships pulls up to the anchorage of the Panama Canal, and she measures 10,000 tons in accordance with the Panama Canal rules of measurement. That is her earning capacity. Under the present rate she would pay \$1.20 a ton, or \$12,000 for passing through the Canal. But she asks that her tonnage be measured by the United States rules of measurement; and, owing to her ingenuity in availing herself of these later devices, that ship measures not 10,000 tons—these ratios are correct—she measures 6,800 tons under the United States rules of measurement.

That brings upon her the maximum charge of \$1.25 a ton. But \$1.25 a ton on 6,800 tons amounts to \$8,500. So the ship pays \$8,500 for passing through the Canal instead of paying \$12,000. That vessel pays \$500 less in the present situation than she would pay if the pending measure were enacted into law, and a rate of 90 cents a ton were promul-



gated by the President. Ninety cents a ton would require her to pay \$500 more than she now pays under this confusing and ridiculous system of double measurement.

The next ship which steams into port is an American ship. She is on her maiden voyage, with exactly the same earning capacity as the Japanese ship; but she has not resorted to all these devices, and it might be possible for that American ship to be required to pay from \$2,000 to \$3,000 more for passing through the American canal than the Japanese ship which just preceded the American ship pays for passing through.

Let us take a hypothetical case. Let us assume that the Senator from North Carolina [Mr. BAILEY] and I both—

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. GORE. I yield.

Mr. BORAH. The statement which the Senator is making seems to me of most extraordinary importance. Do I understand from the Senator's statement that under the present regulations and the law, the American ship might be compelled to pay very much more than the foreign ship in passing through the Canal?

Mr. GORE. Yes; and I am going to illustrate that a little further. I am going to assume that the Senator from North Carolina and I each own a sister ship of the *Empress of Britain*. They will be domestic, but the example illustrates the point. The Senator from North Carolina sends his ship down to the sea. It passes through the Panama Canal, and it pays for transiting it what it pays for passage through the Suez Canal—\$29,000. My ship is the next to pull into the lock. It is a sister ship to the one owned by the Senator from North Carolina, identical from stem to stern and from keel to topmast; but I have taken advantage of all these devices under the United States rules of measurement; and my ship, loaded to her lines, passes through the Canal and pays less than \$18,000 for the transit.

That is what happens. That happens now. When the *Empress of Britain* passes through the Suez Canal she pays the Suez Canal authorities \$29,000 for the transit; and when she passes through the Panama Canal she pays less than \$18,000 for the transit; and I will say to the Senator from Idaho she cuts down her tonnage 3,300 tons by this simple device:

She had a cloakroom on one of her pleasure decks, where the passengers could park their cloaks and hats and wraps. Her owners found out that by converting that cloakroom into a so-called cabin they could reduce her toll-paying tonnage 3,300 tons; and they did put a bed in that cloakroom with a portable chiffonier and washstand, and by that simple device lifted 3,300 tons out of her toll-paying capacity.

The pending bill is designed to abolish that sort of system. The shipping interests of this country do not want that system abolished. They are here, in season and out, protesting against the passage of such legislation, and have been for 22 years. The Attorney General's decision was handed down on the 25th of November 1914. Within 3 months Mr. Adamson, the then chairman of the House Committee on Interstate and Foreign Commerce, introduced a bill to correct this mischief. The bill has passed the House four times, but never on any previous occasion has it advanced as far as it now has advanced in the Senate.

Mr. BAILEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. GORE. I yield.

Mr. BAILEY. I wish to make a statement, in view of the Senator's comparison of the Panama Canal with the Suez Canal.

The Panama Canal is a canal owned by the United States and operated presumably for the public benefit, and especially for the benefit of the public of the United States. The Suez Canal is a private corporation, and it is making profits and declaring dividends at the rate of 200 percent per year. I do not see why the fact that they get \$3,000, \$5,000, or \$10,000 more by reason of having a monopoly

should justify the United States in pursuing a similar policy. I cannot see the basis for the argument.

Let me make one other suggestion and then I promise not to interrupt the Senator further.

The Panama Canal under the existing conditions is a paying institution. Why should we wish to increase the rates? Why should we wish to change the system under which it is paying?

Mr. GORE. Mr. President, there is no man in the Senate for whom I have a higher regard than the Senator from North Carolina. I sometimes think in this debate he is rather disparaging his own talents. It seems to me he is trying to convince the Senate that he knows less about more things concerning this legislation than any man in the Senate. I do not agree with him altogether.

Mr. BAILEY. Mr. President, that has been the point of my argument for several days on this subject—that nobody here knew anything about it, and therefore we needed a commission to find the facts. I am not resenting or repudiating or denying the statement that I do not know much about it, and I am asking the Senate to appoint a commission which will inform us.

Mr. GORE. Another commission to reiterate what has been said so often? I shall not turn back to that point.

Mr. President, if the Senator from North Carolina thinks the *Empress of Britain* ought to pay the Suez Canal authority \$29,000 when she passes through that canal, and, owing to these devices, ought to pay the Panama Canal authorities or ought to pay the Government of the United States less than \$18,000 for the same service, it is his privilege to take that position. But the Senator is mistaken in this, as are other Senators. The object of this proposed legislation is not to increase the aggregate receipts of the Panama Canal. This measure is not intended to make a profit-bearing instrumentality of the Panama Canal. The total charge for the maintenance of the Canal and other charges connected with it are about \$25,000,000 a year under the present tolls. If enacted the pending measure will not increase the aggregate receipts from the operation of the Panama Canal. It is not intended to do so. It is intended to correct the inequalities. It is intended to correct the absurdities which have sprung up under this dual system of measurement, resulting from the ruling of the Attorney General.

The VICE PRESIDENT. Will the Senator from Oklahoma suspend for the purpose of enabling the Senate to carry out its order with reference to the impeachment proceedings?

Mr. GORE. Of course, I yield, and I will resume as soon as the business of the Senate sitting as a court shall have been concluded.

#### IMPEACHMENT OF HALSTED L. RITTER

The VICE PRESIDENT. The Senate is now sitting as a Court to try articles of impeachment against Halsted L. Ritter, United States district judge for the southern district of Florida.

At 1 o'clock the Secretary to the Majority (Leslie L. Biffle) appeared and said:

I have the honor to announce the managers on the part of the House of Representatives to conduct the impeachment proceedings in the impeachment of Halsted L. Ritter, United States district judge for the southern district of Florida.

The VICE PRESIDENT. The managers on the part of the House of Representatives will be conducted to the seats assigned them in the area in front of the Secretary's desk.

The managers on the part of the House, Hon. HATTON W. SUMNERS, of Texas; Hon. RANDOLPH PERKINS, of New Jersey; and Hon. SAM HOBBS, of Alabama, were conducted to the seats provided in the space in front of the Secretary's desk on the left of the Chair.

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Barkley	Borah	Byrnes
Ashurst	Benson	Bulkeley	Capper
Austin	Bilbo	Bulow	Caraway
Bachman	Black	Burke	Carey
Bailey	Bone	Byrd	Clark



Connally	Hale	McNary	Russell
Coolidge	Harrison	Maloney	Schweilenbach
Copeland	Hatch	Metcalf	Sheppard
Costigan	Hayden	Minton	Shipstead
Couzens	Holt	Moore	Smith
Davis	Johnson	Murphy	Steinwer
Dieterich	Keyes	Murray	Thomas, Okla.
Donahay	King	Neely	Townsend
Duffy	La Follette	Norbeck	Trammell
Fletcher	Lewis	Norris	Tydings
Frazier	Logan	O'Mahoney	Vandenberg
George	Loneragan	Overton	Wagner
Gibson	Long	Pope	Walsh
Glass	McAdoo	Radcliffe	Wheeler
Gore	McGill	Reynolds	White
Guffey	McKellar	Robinson	

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

The Sergeant at Arms will make proclamation.

The SERGEANT AT ARMS (Chesley W. Jurney). Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Halsted L. Ritter, United States district judge for the southern district of Florida.

Mr. ASHURST. Mr. President, I ask unanimous consent that the Journal of the proceedings of the last session of the Senate sitting as a Court of Impeachment be considered as having been read and that the Journal be approved.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chair will inquire if there are any Senators present who have not taken the oath as members of the Court? If there are, let them do so now.

Mr. COSTIGAN. Mr. President, before the oath is administered to members of the Court of Impeachment, if this is the appropriate time, I desire, by unanimous consent, to present a request to be excused from participation in these proceedings, to stand aside and to make a statement with reference to my request.

The VICE PRESIDENT. Is there objection to the Senator from Colorado being excused from serving as a member of the Court? The Chair hears none, and the Senator is excused.

Mr. COSTIGAN. Mr. President, as part of my request, may I ask unanimous consent to have printed in the RECORD the statement to which I referred?

The VICE PRESIDENT. Is there objection? The Chair hears none.

The statement of Mr. COSTIGAN is as follows:

On March 9, 1933, in the Harold Louderback impeachment proceedings, as reported in Senate Document No. 73 of the Seventy-third Congress, first session, pages 14-15, in advance of taking oaths to sit as jurors or Senators in the Court of Impeachment, the Senator from Idaho [Mr. BORAH] and the Senator from California [Mr. JOHNSON], at their respective requests and by unanimous consent of the members of the Impeachment Court, were permitted to stand aside in the trial. At that time the chairman of the Judicial Committee [Mr. ASHURST], with his usual care and decisiveness, helpfully commented on the procedural problems and the propriety of such a request.

On March 10, at page 3485, the CONGRESSIONAL RECORD correctly notes my absence when the roll was called, prior to oaths being administered to Members of the Senate, and I was not that day, nor have I since been, sworn as a member of the Court of Impeachment in the Senate impeachment proceedings of Halsted L. Ritter about to commence.

At this time I am tendering my request to the Senate to be excused in these proceedings, as was done in the former impeachment trial on request of the Senators from California and Idaho.

It is not disputed by me that such a request is reasonably subject to the convenience, discretion, and approval of Senators who have already been sworn. It is therefore doubtless desirable that the following further statement be made with reference to this request.

While I am not aware of partiality that would affect my judgment, if sworn, I am conscientiously of the opinion that I ought not to sit as judge or juror in the trial of the respondent, Halsted L. Ritter. This conclusion is not based on knowledge of or information I have on the merits of charges involved in the impeachment proceedings. As to the truth or falsity of such charges I have only such knowledge or information as have other Members of the Senate generally. No one has attempted to discuss such charges or their truth or falsity with me, nor have I expressed any opinion about them. I have not seen or communicated with

respondent or any member of his family in recent years, with the exception of a brief chance meeting with the respondent about a year ago. At that meeting the conversation did not exceed 2 or 3 minutes' duration, and it was in no wise related to the issue or issues to be tried. Nevertheless, it should be stated that Mrs. Costigan and I have long known respondent, his wife, and children. Our personal acquaintance began in our home city, Denver, Colo., a number of years before respondent and his family moved to the State of Florida. Of course, I was not a Member of the Senate when respondent was appointed to his present Federal position and was not among those who recommended his appointment or confirmation. But the friendly acquaintance with respondent and his family, which thus began in Denver, was personal and social, and was professional to the extent that at least on one occasion we were associated on the same side in important litigation.

Although I am not conscious of any other attitude than impartiality dictates, I feel, under the specified circumstances, that I ought not to be expected to serve as judge or juror in these impeachment proceedings. I therefore ask unanimous consent of the Senate that I may be permitted at this time to stand aside and may be excused from taking the oath required of members of this Court of Impeachment.

The VICE PRESIDENT. The Chair will now administer the oath to those Senators who have not heretofore taken it or been excused.

Mr. GIBSON, Mr. STEINWER, Mr. CAREY, Mr. NORBECK, Mr. LA FOLLETTE, Mr. KEYES, Mr. COUZENS, Mrs. LONG, Mrs. CARAWAY, Mr. MALONEY, Mr. DIETERICH, Mr. BLACK, Mr. HARRISON, Mr. MURRAY, Mr. CLARK, Mr. BYRD, and Mr. GUFFEY rose from their seats, and the oath was administered to them by the Vice President.

Mr. ASHURST. Mr. President, I rise to make the announcement that the Journal Clerk will take down the names of those Senators who have taken the oath today.

The VICE PRESIDENT. The Journal Clerk will take the names.

The Secretary will read the return of the Sergeant at Arms.

The Chief Clerk read as follows:

SENATE OF THE UNITED STATES,  
OFFICE OF THE SERGEANT AT ARMS.

The foregoing writ of summons addressed to Halsted L. Ritter, and the foregoing precept, addressed to me, were duly served upon the said Halsted L. Ritter by me by delivering true and attested copies of the same to the said Halsted L. Ritter at the Carlton Hotel, Washington, D. C., on Thursday, the 12th day of March 1936, at 11 o'clock in the forenoon of that day.

CHESLEY W. JURNEY,  
Sergeant at Arms, United States Senate.

The VICE PRESIDENT. The Secretary of the Senate will administer the oath to the Sergeant at Arms.

The Secretary of the Senate, Edwin A. Halsey, administered the oath to the Sergeant at Arms, as follows:

You, Chesley W. Jurney, do solemnly swear that the return made by you upon the process issued on the 10th day of March 1936 by the Senate of the United States against Halsted L. Ritter, United States district judge for the southern district of Florida, is truly made, and that you have performed such service as therein described. So help you God.

The VICE PRESIDENT. The Sergeant at Arms will make proclamation.

The Sergeant at Arms made proclamation as follows:

Halsted L. Ritter! Halsted L. Ritter! Halsted L. Ritter! United States district judge for the southern district of Florida, appear and answer to the articles of impeachment exhibited by the House of Representatives against you.

The respondent, Halsted L. Ritter, and his counsel, Frank P. Walsh, Esq., of New York City, N. Y., and Carl T. Hoffman, Esq., of Miami, Fla., entered the Chamber and were conducted to the seats assigned them in the space in front of the Secretary's desk, on the right of the Chair.

The VICE PRESIDENT. Counsel for the respondent are advised that the Senate is now sitting for the trial of articles of impeachment exhibited by the House of Representatives against Halsted L. Ritter, United States district judge for the southern district of Florida.

Mr. WALSH (of counsel). May it please you, Mr. President, and honorable Members of the Senate, I beg to inform you that, in response to your summons, the respondent, Halsted L. Ritter, is now present with his counsel and asks leave to file a formal entry of appearance.



The VICE PRESIDENT. Is there objection? The Chair hears none, and the appearance will be filed with the Secretary, and will be read.

The Chief Clerk read as follows:

IN THE SENATE OF THE UNITED STATES OF AMERICA  
SITTING AS A COURT OF IMPEACHMENT

MARCH 12, 1936.

*The United States of America v. Halsted L. Ritter*

The respondent, Halsted L. Ritter, having this day been served with a summons requiring him to appear before the Senate of the United States of America in the city of Washington, D. C., on March 12, 1936, at 1 o'clock afternoon to answer certain articles of impeachment presented against him by the House of Representatives of the United States of America, now appears in his proper person and also by his counsel, who are instructed by this respondent to inform the Senate that respondent stands ready to file his pleadings to such articles of impeachment within such reasonable period of time as may be fixed.

Dated March 12, 1936.

HALSTEAD L. RITTER,  
*Respondent.*  
CARL T. HOFFMAN,  
FRANK P. WALSH,  
*Counsel for Respondent.*

The VICE PRESIDENT. What is the pleasure of the Court?

Mr. ASHURST. Mr. President, I inquire if the honorable managers on the part of the House and the honorable counsel for the respondent have reached any agreement as to a date upon which witnesses shall be summoned to appear and as to the date the trial shall begin.

Mr. Manager SUMNERS. Mr. President, I have to inform the Senate that the managers on the part of the House and counsel for the respondent have not been able to reach an agreement as to when the trial shall begin. The difficulty is that the managers on the part of the House are very anxious, if possible, to avoid the trial of the articles of impeachment taking place in what we know as the closing days of the session of the Congress. Aside from that, the managers can accommodate themselves to whatever is the necessity and convenience of counsel for the respondent and whatever is the judgment of the Senate. That is the difficulty we have.

I wonder if we might make an inquiry? Would it be possible for counsel for the respondent and the managers to have some further opportunity for conference upon that point, and also to have a conference with the honorable chairman of the Senate Committee on the Judiciary?

Mr. KING. Mr. President, pursuant to the request made by the honorable managers on the part of the House that a reasonable time be afforded for consultation between the Managers on the part of the House and counsel for the respondent, I move that the Senate, sitting as a Court of Impeachment, take a recess for 30 minutes.

The motion was agreed to; and (at 1 o'clock and 15 minutes p. m.) the Senate, sitting as a Court of Impeachment, took a recess for 30 minutes.

At the expiration of the recess at 1 o'clock and 45 minutes p. m., the Senate, sitting as a Court of Impeachment, reassembled.

Mr. POPE. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Keyes	Overton
Ashurst	Copeland	King	Pope
Austin	Costigan	La Follette	Radcliffe
Bachman	Couzens	Lewis	Reynolds
Bailey	Davis	Logan	Robinson
Barkley	Dieterich	Loneragan	Russell
Benson	Donahay	Long	Schwellenbach
Blibo	Duffy	McAdoo	Sheppard
Black	Fletcher	McGill	Shipstead
Bone	Frazier	McKellar	Smith
Borah	George	McNary	Stelwer
Bulkley	Gibson	Maloney	Thomas, Okla.
Bulow	Glass	Metcalf	Townsend
Burke	Gore	Minton	Trammell
Byrd	Guffey	Moore	Tydings
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Murray	Wagner
Caraway	Hatch	Neely	Walsh
Carey	Hayden	Norbeck	Wheeler
Clark	Holt	Norris	White
Connally	Johnson	O'Mahoney	

Mr. LEWIS. I reannounce the names of absentee Senators and the reason for their absences which I gave on a previous roll call.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

The Chair is advised that there are some Senators who have not as yet taken the oath as members of the Court. If there are any Senators in the Chamber who have not as yet taken the oath as members of the Court and desire to do so now, the Chair will at this time administer to them the oath.

Mr. WHEELER and Mr. DAVIS rose, and the oath was administered to them by the Vice President.

The VICE PRESIDENT. What is the pleasure of the Court?

Mr. ASHURST. Mr. President, I inquire of the honorable managers on the part of the House and the honorable counsel for the respondent if they have been able to agree as to the date on which the trial shall begin?

Mr. Manager SUMNERS. Mr. President, the managers on the part of the House have been in consultation with counsel for the respondent, and we have arrived at this agreement: Counsel for the respondent will have their response or reply in the hands of the managers on March 26, but will have until March 30 to file their response in the Senate. It has been suggested that when that is done then an agreement can be arrived at as to when the trial shall begin. That seems to have been the method pursued in the English case, and I am advised by some Senators that that seems to have been the custom in determining these matters in advance.

Mr. WALSH (of counsel). We agree to that, Mr. President.

The VICE PRESIDENT. Is there any unanimous-consent request to be made by any member of the Court?

Mr. ROBINSON. Mr. President, I think there is not a clear understanding as to the arrangement which has been entered into between the managers and the counsel for the respondent. It is my understanding, and if I am in error someone who is better informed will please correct me, that the agreement is that counsel for the respondent will place their response in the possession of the managers on the part of the House not later than the 26th instant, and that the Court may reconvene again on the 30th when the response will be filed in the Senate.

The VICE PRESIDENT. Is there objection to that agreement?

Mr. ASHURST. Mr. President, I respectfully insist that there ought to be a time set when the trial shall begin. Am I to understand from the honorable managers on the part of the House and the honorable counsel for the respondent that the trial will begin on the 30th of March?

Mr. Manager SUMNERS. No, sir.

Mr. ASHURST. Then no definite date is set?

Mr. WALSH (of counsel). Mr. President, I was going to suggest—I do not have the calendar before me—that Friday will be the 27th of March.

Mr. ASHURST. Yes; Friday will be the 27th of March.

Mr. WALSH (of counsel). Yes. It has been mentioned as the 26th. It is Friday that we are to have the response in the hands of the managers on the part of the House.

Mr. ASHURST. Yes. Friday will be the 27th. The 26th will fall on Thursday.

Mr. WALSH (of counsel). There was simply an error made in the date. The date agreed upon is the 27th.

The VICE PRESIDENT. The Chair understands the situation to be as follows: The respondent will have his answer in the hands of the managers on the part of the House on the 27th instant.

Mr. Manager SUMNERS. Yes, Mr. President.

The VICE PRESIDENT. And that the trial will begin on the 30th.

Mr. Manager SUMNERS. No, Mr. President.

The VICE PRESIDENT. The Chair wishes to get that matter correctly presented.

Mr. ASHURST. It has been suggested—and accurately so—that the issue will not be joined until March 30. I respectfully urge that the Court, for many reasons, do not



adjourn until it fixes a date for the beginning of the trial. Amongst the reasons is the fact that an order must be entered directing the Sergeant at Arms to subpoena the witnesses, and that both the honorable managers and the respondent should file their lists of witnesses and serve copies of the lists on each other. Manifestly the Senate cannot enter such an order unless and until there is a date set upon which the witnesses are to appear and a date set upon the trial to begin.

The VICE PRESIDENT. Has there been a meeting of the minds between the managers on the part of the House and the counsel for the respondent?

Mr. Manager SUMNERS. Mr. President, may I announce to the Senate that the managers on the part of the House and counsel for respondent are not able to agree on the time when the trial shall begin?

The VICE PRESIDENT. Then the Court must fix the time when the proceedings of the trial will begin. The Chair understands there is an agreement between the managers on the part of the House and counsel for the respondent that the reply will be in the hands of the managers on the part of the House by the 27th instant, but there is no agreement as to when the trial shall begin.

Mr. ASHURST. Mr. President, I move that the trial begin on Monday, April 6, and that witnesses be subpoenaed to appear at 1 o'clock p. m. on that date.

The VICE PRESIDENT. Is there any discussion?

Mr. WALSH (of counsel). Would it be proper for me to make a suggestion?

The VICE PRESIDENT. Indeed, sir.

Mr. WALSH (of counsel). When we attempted to make this agreement with the managers on the part of the House the difficulties which presented themselves were discussed. They may not be able to get ready in 6 days. We are taking this time to file our answer knowing, as we did when we discussed the question, that it would take more than 30 days, but we are willing to get our answer in in the way we have agreed, and then we will know what witnesses we have stipulated away, we will know what witnesses we have to subpoena, and the honorable managers will know what witnesses they have to subpoena. I am just making that suggestion. Of course, I would not be bold enough to discuss it with members of the Court.

At that date I have no doubt we can reach an agreement on the trial date. I think both sides are very anxious to expedite this matter.

The VICE PRESIDENT. There is only one motion before the Court at the present time, and that is the motion of the Senator from Arizona [Mr. ASHURST] that the trial begin on the 6th day of April. The agreement, as the Chair understands, has been made by the managers on the part of the House and the counsel for the respondent that the respondent's reply shall be in the hands of the managers on the part of the House by the 27th of this month. The Senator from Arizona has now moved that the trial begin on the 6th day of April. The question is on that motion.

The motion was agreed to.

The VICE PRESIDENT. What is the further pleasure of the Court?

Mr. ASHURST. Mr. President, I send to the clerk's desk an order, which I ask may be read and agreed to.

The VICE PRESIDENT. The clerk will read the proposed order.

The Chief Clerk read as follows:

*Ordered*, That lists of the witnesses be furnished to the Sergeant at Arms by the managers and by the respondent, and said witnesses shall be subpoenaed to appear on Monday, the 6th day of April 1936, at 1 o'clock p. m.

The VICE PRESIDENT. Without objection, the order is entered.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. ASHURST. I yield.

Mr. COPELAND. It has been suggested to me that the time set—the 6th of April—is too early to give full consideration to all the matters involved. As one member of

the Court I am anxious that there should be nothing done by us which would seem unduly to hurry the proceedings or seriously embarrass the doing of justice to all concerned. I simply speak of that because, with all respect, I think that the counsel for the respondent was sort of swept off his feet and not given full opportunity to present his difficulties.

Mr. ASHURST. Mr. President, the observations of the able Senator from New York [Mr. COPELAND] are well becoming, and I am glad he made them, but I believe that no harm will be done and no advantage taken of the managers or the respondent by fixing the date of trial for April 6. I am sure that the Senate will acquit me of any intention precipitately to rush into this matter, but, frankly and in good faith, I do not perceive why April 6 is not an appropriate date. My judgment is that March 30 would afford ample time.

Mr. President, in order that Senators, sitting as judges and jurors, may have an opportunity to study this matter, I ask for the adoption, after it shall have been read, of the order which I send to the desk. This is in haec verba the same order that was adopted in the Louderback case.

The VICE PRESIDENT. The clerk will read.

The Chief Clerk read as follows:

*Ordered*, That in addition to the rules of procedure and practice in the Senate when sitting on impeachment trials, heretofore adopted, and supplementary to such rules, the following rules shall be applicable in the trial of the impeachment of Halsted L. Ritter, United States judge for the southern district of Florida:

1. In all matters relating to the procedure of the Senate, whether as to form or otherwise, the managers on the part of the House or the counsel representing the respondent may submit a request or application orally to the Presiding Officer, or, if required by him or requested by any Senator, shall submit the same in writing.

2. In all matters relating immediately to the trial, such as the admission, rejection, or striking out of evidence, or other questions usually arising in the trial of causes in courts of justice, if the managers on the part of the House or counsel representing the respondent desire to make any application, request, or objection, the same shall be addressed directly to the Presiding Officer and not otherwise.

3. It shall not be in order for any Senator, except as provided in the rules of procedure and practice in the Senate when sitting on impeachment trials, to engage in colloquy or to address questions either to the managers on the part of the House or to counsel for the respondent, nor shall it be in order for Senators to address each other; but they shall address their remarks directly to the Presiding Officer and not otherwise.

4. The parties may, by stipulation in writing filed with the Secretary of the Senate and by him laid before the Senate or presented at the trial, agree upon any facts involved in the trial; and such stipulation shall be received by the Senate for all intents and purposes as though the facts therein agreed upon had been established by legal evidence adduced at the trial.

5. The parties or their counsel may interpose objection to witnesses answering questions propounded at the request of any Senator, and the merits of any such objection may be argued by the parties or their counsel; and the Presiding Officer may rule on any such objection, which ruling shall stand as the judgment of the Senate, unless some Member of the Senate shall ask that a formal vote be taken thereon, in which case it shall be submitted to the Senate for decision; or he may, at his option, in the first instance submit any such question to a vote of the Members of the Senate. Upon all such questions the vote shall be without debate and without a division, unless the ayes and nays be demanded by one-fifth of the Members present, when the same shall be taken.

Mr. BORAH. Am I to understand, under the proposed order, that all questions a member of the Court might desire to address to a witness must be submitted in writing?

Mr. ASHURST. Yes. That is the rule in impeachment proceedings.

Mr. BORAH. That may be the usual procedure, but I think it a very poor practice.

Mr. ASHURST. The opinion of the able Senator from Idaho would have great weight with me; I do not desire to be brought into even the most courteous competition with him as a lawyer and student of the Constitution, but the rule, as suggested, has been followed in at least three cases.

Mr. ROBINSON. Mr. President, I may say, in response to what the Senator from Idaho [Mr. BORAH] has said, that not only has it been the rule that has prevailed in recent trials of this nature, but the rule is a sound one, and without some such rule it would be impossible, or at least very difficult at times to have orderly procedure.



The VICE PRESIDENT. The Chair calls the attention of the Senator from Idaho to rule XVIII governing the conduct of impeachment proceedings, which is as follows:

If a Senator wishes a question to be put to a witness, or to offer a motion or order (except a motion to adjourn), it shall be reduced to writing and put by the Presiding Officer.

That is already in the rules of the Senate, regardless of what is contained in the order presented by the Senator from Arizona.

Mr. BORAH. Nevertheless, Mr. President, it is, in my opinion, an obstacle to securing the real facts in regard to a matter of this kind.

The VICE PRESIDENT. The question is on agreeing to the order submitted by the Senator from Arizona.

The order was agreed to.

Mr. HATCH. Mr. President, when the Chair stated the procedure a moment ago I understood that the response was to be served on the managers by the 27th of March. I did not understand, however, that a date was fixed to file the response with the Court. I invite the attention of the Senator from Arizona to that point. Something was said about the 30th of March, but no date has been fixed, as I understand, for filing the response with the Senate.

The VICE PRESIDENT. The Chair will state to the Senator from New Mexico that the response of the respondent is to be placed in the hands of the managers of the House by at least the 27th of March. What is the suggestion of the Senator?

Mr. HATCH. That some time be fixed for filing the response with the Court.

Mr. ROBINSON. Mr. President, evidently the Senator from New Mexico did not hear when I stated the agreement, which was that the response shall be placed in the possession of the managers on the part of the House on the 27th of March, and that it must be filed with the Senate as a Court on the 30th of March. That agreement was entered.

Mr. HATCH. That was the understanding that I had of the statement of the Senator from Arkansas, but a statement was made by the Chair which I did not understand.

Mr. ROBINSON. The Chair submitted the question whether there was objection to the agreement; there was no objection, and it was ordered entered.

The VICE PRESIDENT. What is the further pleasure of the Court?

Mr. ASHURST. Mr. President, inasmuch as it is agreed and ordered that the counsel for the respondent shall file their response or answer with the honorable managers on the 27th of March, it will not be necessary that the Court be in session to hear such answer read. Therefore, Mr. President, at the proper time, I shall move that the Senate, sitting as a Court of Impeachment, when it adjourns, shall adjourn until March 30, and now, if there be nothing further, if neither the honorable managers on the part of the House nor the counsel for the respondent have anything to suggest, and no Senator has any motion to make, I move that the Senate, sitting as a Court of Impeachment, now adjourn until Monday, March 30, 1936, at 1 o'clock p. m.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate sitting as a Court of Impeachment adjourned until Monday, March 30, 1936, at 1 o'clock p. m.

#### MEASUREMENT OF VESSELS USING THE PANAMA CANAL

(The following occurred while the Senate, sitting as a Court of Impeachment, was in recess from 1:15 o'clock until 1:45 o'clock, during which time it resumed the consideration of legislative business:)

The Senate resumed consideration of the bill (S. 2288) to provide for the measurement of vessels using the Panama Canal, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from North Carolina [Mr. BAILEY].

Mr. GORE. Mr. President, I desire to make it perfectly clear that the pending legislation is not designed to convert

the Panama Canal into a money-making institution or to realize a profit over and above the actual requirements to meet its budget. The annual cost of operating the Canal is about \$10,000,000. The annual charge to cover the capitalized cost, bonds, and other obligations amount to about \$15,000,000. The present tolls realize about that sum annually—on the average about \$25,000,000 a year.

If this measure becomes a law and the 90-cent rate is promulgated, the aggregate receipts from the Canal will be approximately the same. It is desired to keep the receipts of the Canal within those requirements. It is entirely a mistaken conception to conclude that any purpose now exists anywhere to increase the aggregate receipts from the operation of the Panama Canal.

Mr. President, I shall try once again to summarize what this measure would do if enacted into law. The Senator from North Carolina [Mr. BAILEY] said, and perhaps aptly, that the objectives have not been adequately stated. I shall try to state the purpose and the object and the effect. That this has not been done is my fault, perhaps, or my misfortune.

If the pending measure becomes a law it will abrogate the dual system of measurement now prevailing in the Panama Canal. As I understand, everybody agrees upon that point.

It will also result in the establishment of one uniform system of measurements to apply to all commercial ships passing through the Canal. Those rules of measurement will be based on the earning capacity of the ship.

It will also result in the imposition of one fixed uniform official toll based on tonnage, based on the earning capacity of the ships.

Not only that, but it will abolish, I repeat, the present dual system of measurement. It will take it out of the hands of shipowners to determine what their tonnage is and what tolls they shall pay the Government of the United States.

Not only that, but it will do away with the present discrimination which exists between ships of exactly the same earning capacity where one owner has resorted to certain devices to cut down the tonnage and the tolls and where the other vessel owner has not resorted to those devices to cut down his tonnage and his tolls.

The junior Senator from Oregon [Mr. STEIWER] a few days since raised a constitutional question, asserting that the pending bill would delegate legislative power to the President of the United States. The junior Senator from Oregon generally discusses subjects in a manner, and as a rule, I may say without extravagance, as luminous as sunlight itself; but I think on that occasion the Senator fell into a sun spot.

The Panama Canal and the Panama Canal Zone are the property of the United States. The United States owns that property in the double character of a sovereign and as the proprietor. It has a right to fix tolls for the use of its property. Congress has the right to delegate that power to the President of the United States without raising any of the constitutional questions referred to by the Senator from Oregon. The Constitution expressly provides that Congress has plenary power to make all needful rules and regulations with respect to the territory of the United States.

The junior Senator from Oregon and the Senate were not standing face to face with the question as to whether or not we shall delegate this power to the President of the United States or delegate this power to some commission prescribing the rules for its procedure. The question pending is whether the Congress shall delegate to the President of the United States now, as it did in 1912, the power to prescribe and fix rules for the use of the Panama Canal, or whether Congress shall delegate or continue to delegate that power to the various shipping companies in this country and to the shipping companies of every nation on the earth.

Under the dual system of measurement the power to regulate tolls is largely vested in the shipping companies. Shipping companies of this country, shipping companies of England, shipping companies of Japan, and shipping companies of other countries, exercise the power now to determine in



large measure what tolls they shall pay the United States for the use of this great interoceanic highway. The purpose of the pending legislation is to stop that practice and to take over this sovereign power and have it exercised by the Congress of the United States instead of delegating it to the various shipping concerns.

Let us see what has happened under the present dual system. Last year the average tolls charged vessels passing through the Panama Canal were 85.4 cents per ton. That was the average, 85.4 cents per ton. The French vessels on the average paid 80 cents per ton to go through the canal, or 5 cents less than the general average. The Danish ships paid 80 cents a ton for passing through the Canal, or 5 cents per ton less than the general average. Norwegian ships and commercial ships of other nations paid 80 cents a ton for passing through the Canal, or 5 cents a ton less than the general average.

Mr. BAILEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. GORE. I yield?

Mr. BAILEY. The Senator, as I understand, is contending that under the existing system the Norwegian, Japanese, and English ships pay less than the American ships.

Mr. GORE. Not the English ships.

Mr. BAILEY. Well, the ships of other nations.

Mr. GORE. Yes; some of them. Some pay more.

Mr. BAILEY. And is the Senator saying that the American shipping interests wish to maintain the situation under which they have to pay more in our Canal than the foreigners?

Mr. GORE. Yes, sir.

Mr. BAILEY. Very well. It is the first time I have ever heard of a man cutting his own throat, however.

Mr. GORE. That is the anomaly of this situation; but I shall show in a moment why that is true.

The English ships paid 87 cents a ton for passing through the Canal, about 2 cents more than the average; and this may strike Senators as strange. On the average, the ships of Japan pay 94 cents a ton for passing through the Canal. Some of her later vessels pay on only 68 percent of their tonnage, and some of her older vessels which have been reconditioned pay less than the average rate.

Here is the absurdity of this situation, Mr. President:

We wish to pass this bill, prescribing a uniform rule for the measurement of these ships based on their earning capacity, and then fix one uniform official toll to be charged on every vessel of every country passing through the Canal, and make every shipowner pay the same rate of toll on the tonnage of his vessel based on its earning capacity.

The present system permits the very anomaly to happen which I am describing. It permits those countries which go farthest in adopting these devices to cut their tolls down below the average, down below the official rate, while other countries which do not resort to those devices pay more than the average rate.

If this bill passes, and the 90-cents-a-ton rate is promulgated, Japanese ships will pay 90 cents a ton on their earning capacity; English ships will pay 90 cents a ton on their earning capacity; and all other ships, of whatever flag, will pay 90 cents a ton when they pass through the Canal based on their earning capacity. I repeat that the American shipping concerns are opposing the pending bill, notwithstanding in some cases they pay more than other ships, and in other instances they pay less than the ships of other countries.

Here is a figure which cannot be disputed:

In 1931 the tonnage that passed through the Panama Canal in the aggregate went through for \$7,000,000 less than if the vessels had paid on their earning capacity. Four million dollars of that saving went to foreign vessels. Three million dollars went to American vessels. We paid a subsidy of \$4,000,000 in that year to foreign shipping in order to pay a subsidy of \$3,000,000 in that year to American shipping.

That is not all.

Mr. BAILEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. GORE. Yes, sir.

Mr. BAILEY. As I understand the Senator, that comes to \$7,000,000, does it not—\$4,000,000 for foreign vessels, and \$3,000,000 for American vessels?

Mr. GORE. Yes.

Mr. BAILEY. At the same time, since the Canal paid, that would have been a surplus. That would have been beyond what is contemplated by the whole theory of the Canal and the law.

Mr. GORE. Mr. President, that is on the assumption that the vessel owners had not resorted to these devices, and had paid the official rates. The Senator forgets that the present official rate is \$1.20, while under this measure it will be reduced to 90 cents, and will obviate the very surplus to which the Senator has referred.

Mr. GEORGE. Mr. President, may I ask the Senator a few questions? I am really seeking light on this subject.

Mr. GORE. Certainly. Would the Senator mind my making one other statement on this very point, which presents the picture better than it is now presented—just one other statement?

Since the Canal was opened there has been a subsidy of that sort amounting in the aggregate to \$84,000,000. Forty-seven million dollars of that amount was enjoyed by foreign ships. Thirty-seven million dollars of it went to ships that fly the American flag. We paid foreign ships \$47,000,000 in order to pay American ships a subsidy of \$37,000,000.

If we wish to subsidize American ships, let us do so; and we could have subsidized them to the extent of \$37,000,000 during the history of the Canal, and could have avoided subsidizing their competitors to the extent of \$47,000,000.

That is what this bill is intended to correct. The shipping concerns do not want it done because they can manipulate their tonnage—and I shall not go through those various and sundry details—in such a way as to cut down the tolls they pay.

I now yield to the Senator from Georgia.

Mr. GEORGE. Mr. President, I wish to ask the Senator from Oklahoma, the chairman of the committee, if I correctly understand that the present official rate is \$1.20 per ton.

Mr. GORE. Yes, sir.

Mr. GEORGE. Is that the maximum rate?

Mr. GORE. Oh, no. The maximum rate under existing law is \$1.25, and the minimum rate is 75 cents. The official rate, as promulgated by the President, is \$1.20 per ton.

Mr. GEORGE. So that if the Canal is not paying its cost under the present law, the rate could be raised. Do I understand that that is the case?

Mr. GORE. No; it could not be raised above \$1.25.

Mr. GEORGE. But it could be raised above \$1.20?

Mr. GORE. It could be raised from \$1.20 to \$1.25; yes, sir.

Mr. GEORGE. And \$1.20 is the prevailing rate?

Mr. GORE. That is the present fixed official rate; but I will say to the Senator, as I stated a moment ago, that the average rate paid by all shipping, taken in the aggregate, is a little over 85 cents per ton.

Mr. GEORGE. It is just on that point that I desire to ask the Senator a few questions.

I do not get the Senator's point when he compares the cost of a ship of a given tonnage passing the Suez Canal and passing the Panama Canal. Perhaps that is my fault, and I shall not ask the Senator to go into that subject; but it seems to me we do not need to compare them at all, because certainly the Panama Canal stands on a different basis from the Suez Canal. I think if the Senator will examine our treaties, and I am quite sure if he will examine the treaty which is now before the Foreign Relations Committee, he will find that the neutrality of the Panama Canal as a channel of trade and commerce is especially emphasized.

I do not wish to go into that question, however.

Mr. GORE. No; it is foreign to this one.



Mr. GEORGE. What I do wish to ask the Senator is, Why is it not possible for one ship of the exact tonnage of another ship so to arrange itself by these devices, under the existing dual system, as to put itself on an equality with the ship that pays the less toll?

Mr. GORE. Mr. President, I had avoided that point, because I have heretofore discussed it in detail; but I shall be glad to explain it to the Senator.

Let us assume that the Senator from Georgia and I own companion ships, identical in every detail, measuring 10,000 tons each, according to the Panama Canal rules of measurement.

The Senator's ship goes through the Panama Canal. He has resorted to no devices to reduce its tonnage measurement. Under the Panama Canal rules of measurement, it measures 10,000 tons. It so happens that it would not quite measure that under United States rules in any event. The tonnage would be a little less; but let us waive that point. The Senator would pay \$12,000 for the passage of his ship through the Canal.

My ship pulls in next to his. It is a companion ship in every particular. On the shelter deck of my ship I have cut what is called a tonnage opening, some 4 or 5 feet by 18 or 20 feet. Around that opening there is a coaming some 12 inches high. I may put over that opening planks cut to fit the opening. Over that I spread a tarpaulin, and I tie a rope around this tarpaulin and around the coaming, making it watertight and airtight; but that is a temporary closing of the hatch or the opening. That one device takes all the space between that shelter deck and the next deck below, perhaps 2,000 tons of cargo-carrying space, out of the requirement to pay tolls. Even though every inch of it be loaded with every ounce it will carry between those two decks, it does not pay any tolls.

Now, let us go a little further than that. The space in the Senator's ship between the shelter deck and the next deck below may not carry 1 ounce of freight, and yet the Senator's ship pays tolls on 2,000 tons. If the Senator had cut an identical opening in his ship corresponding with the one in my ship, had put the same sort of planks over the opening and the same sort of tarpaulin over the planks, but instead of using a rope to tie around the coaming to tighten the enclosure, had put a steel band around the coaming and had driven wedges in between the band and the coaming, that would have been a permanent closing of this tonnage opening, and the Senator would still have been required to pay tolls on his tonnage, when the only difference was that I had used a rope and mine was a temporary closing, while the Senator had used a steel band and it was a permanent closing.

There are other small details which will help to carry out this "show"—though I do not want to be offensive by the use of the word—when I cut this tonnage opening in the shelter deck of my ship. I would have had to put in some freeing ports in the sides of the ship near the deck below and some scupper pipes to let the water run out—the theoretical water, which never comes in.

The only object of that opening in the deck of my ship was to cut down my tolls. It is not used for putting in cargo or taking it out. The regular cargo hatches are used for that purpose. The only purpose and the only effect is to cut down my tonnage and cut down my tolls, and that is the reason why the shipping interests of this country do not want this measure enacted into law. They do not want that privilege taken away from them. They do not want to give the President the power to fix tolls. They want to reserve that power in their own hands.

Mr. GEORGE. Mr. President, I wish to ask the Senator again, why is it that ships of the same kind cannot install the same devices, if we call them devices?

Mr. GORE. They can.

Mr. GEORGE. Can all ships install these devices?

Mr. GORE. Some of them cannot on account of their construction. Some of them do not yield themselves to these devices owing to their structure.

Mr. BAILEY. Mr. President, if I can faithfully follow the argument, it is that all the ship of the Senator from Georgia had to do was to use ropes.

Mr. GEORGE. That is exactly what I am trying to get at.

Mr. GORE. That is all; but this is the point—

Mr. GEORGE. Mr. President, will the Senator allow me to ask a question?

Mr. GORE. Certainly.

Mr. GEORGE. As I understand the Senator from Oklahoma—and I have tried to follow him with exceeding care—the pending bill does not have as its object the collection of more tolls in the aggregate.

Mr. GORE. No.

Mr. GEORGE. If that be true, and there is a discrimination between vessels merely of the same tonnage, my inquiry is, Why cannot all of the boats of the same type install the same devices or appliances, or whatever they may be called, and get the lowest rate of tolls permissible?

Mr. GORE. Mr. President, generally speaking, they could. As I indicated a moment ago, there are, perhaps, some which from their structure could not lend themselves to these peculiar devices. I will say to the Senator that this evil is a progressive evil. It is getting worse year by year. Japan has 20 old ships which ply the Canal. They have not resorted to these devices in the past, but within the last year they have reconditioned two of those vessels and have materially cut down their tonnage and have materially cut down the tolls they pay to the United States.

To illustrate to the Senator one of the other devices by which the Japanese ships cut down their tonnage, they used to be coal-burning ships, and, naturally, had bunkers in which to carry their coal. They have been converted into oil-using vessels. A certain percentage of a ship's capacity is exempt on account of engine rooms and propelling space. They cut a door between the old coal bunkers of the ship and the engine room, and by that device materially reduced the toll-paying tonnage, because the bunker space became part of the engine room and increased it beyond 13 percent of the gross tonnage.

Here is another strange feature of our United States rules of measurement. If a ship's engine room is 13 percent or less of the total tonnage of the ship, then she receives a reduction for propelling power corresponding with the actual size of the engine room plus 75 percent of the engine-room space as a fuel allowance. But if they increase the engine-room space to between 13 percent and 20 percent of the gross tonnage, 32 percent of the entire gross tonnage of the ship is allowed as a deduction for propelling power. This is an arbitrary allowance and amounts to much more than the 175-percent method mentioned before.

Some owners have resorted to this to a greater degree than others, some to a lesser degree. The question is, Ought the practice to be tolerated, ought it to be continued, ought the Government of the United States to prescribe the tolls on a fair and equitable basis, which it will charge for the service of passing ships through the Canal, requiring all owners to pay a just and reasonable charge, a uniform charge, or should this question be left to the caprice and whim, I need not say to the avarice or to the cupidity, of these various shipping concerns? Is the system rational?

Mr. President, the 90-cents-a-ton rate corresponds substantially with the present average rate, which is eighty-five and a fraction cents. If we made allowance for certain deductions for public rooms, which the Secretary of War will make or recommend if this measure be enacted, the average rate last year would have been eight-seven and a fraction cents instead of 85 cents per ton, and for 1934 the average charge would have been 88 cents instead of 85 cents. So that this 90 cents a ton corresponds substantially with the present average rate, but it obviates all these discriminations.

The Senator from Georgia can see this point: My ship passes through the Canal, say, for \$2,000 less than he pays. He pays the freight. My cheaper rate does not inure to the benefit of the shipper, it operates as a subsidy to me. I simply make my rate just enough below his to insure a cargo,



and to subject him to what might be regarded as unfair competition, and I pocket the subsidy.

The VICE PRESIDENT. Will the Senator from Oklahoma suspend so that the Senate may carry out the order with reference to the impeachment proceedings.

Mr. GORE. I yield.

At this point (at 1:45 p. m.), the recess of the Senate sitting as a Court of Impeachment having expired, the impeachment proceedings were resumed.

#### CROP-PRODUCTION LOANS

After the conclusion for the day of the impeachment proceedings, the Senate resumed the consideration of legislative business.

Mr. SMITH. Mr. President, will the Senator from Oklahoma yield to me to present a matter other than the unfinished business?

Mr. GORE. I yield.

Mr. SMITH. Mr. President, all Members of the Senate are familiar with what has occurred in reference to the so-called seed-loan bill. The committee has authorized me to make a report as to what has transpired to date. It will be recalled that the committee addressed a letter to the President of the United States, setting forth what was contained in certain telegrams from the regional managers of the seed-loan offices, and suggesting an amount that would be immediately necessary to meet the conditions. The President replied to that letter, and I ask that the clerk read the President's reply, and then I will ask to have printed in the RECORD, according to the order of the committee this morning, the original bill, the veto message, the Executive order, the letter written by the committee, and the reply of the President thereto. I ask that that be done in chronological order, as I have been instructed so to do by the committee.

The PRESIDING OFFICER (Mr. MINTON in the chair). The clerk will read, as requested.

The Chief Clerk read as follows:

THE WHITE HOUSE,  
Washington, D. C., March 9, 1936.

HON. ELLISON D. SMITH,  
Chairman, Committee on Agriculture and Forestry,  
United States Senate.

MY DEAR SENATOR: This is in reply to the letter of March 5, 1936, addressed to me by yourself and other members of the Senate Committee on Agriculture and Forestry, with respect to the allotment of funds under my Executive order of February 28, 1936, for the purpose of making loans to farmers during the year 1936 for production of crops.

I note that you and your committee members are of the opinion that at least \$28,500,000 should be immediately allotted for the making of these loans and are requesting that this be done.

In my Executive order I set aside, or earmarked, not to exceed \$30,000,000 for this purpose, of which \$7,000,000 was immediately allotted, and I stated that additional allotments would be made from time to time as might be necessary. I propose to carry out this program. The Governor of the Farm Credit Administration advises me that an additional \$13,000,000 will be required on or about March 20, at which time I shall cause that sum to be made available. He further advises that additional funds may be required on or about April 10, at which time I will take the necessary action to see that such amount as may be shown to be necessary is supplied. I cannot see why this arrangement should not be satisfactory to all concerned.

It is not practicable to make an immediate allotment of all of the funds estimated to be required, since it is necessary to follow the routine of drawing in unobligated balances from various allotments of emergency funds and making them available for the making of crop-production loans. This will be done, of course, as rapidly as possible and in ample time to meet the needs of the Farm Credit Administration.

I trust that the foregoing will be sufficient to assure you and the members of your committee that adequate provision will be made for providing funds for the making of the loans in question as the need for them becomes necessary.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. BORAH. Mr. President, am I correct in understanding from the letter of the President that on the 20th of March there will be \$13,500,000 available?

Mr. SMITH. There will be \$20,000,000 available.

Mr. BORAH. That is, \$20,000,000 will be available on and after the 20th of March?

Mr. SMITH. "On or about" as the letter says.

Mr. BORAH. That disposes of the entire matter, veto and all?

Mr. SMITH. Yes.

Mr. President, I wish to make just a brief statement and then I am through with this matter. As one member of the committee I did not think, and do not now think, that this sum is at all adequate, but on account of the lateness of the season, crops being planted now and whatever contracts are necessary having been made, we have agreed to accept the amount—not to accept it, but we have agreed to let the matter drop for the reason that perhaps half a loaf is better than no loaf at all.

I now ask that the documents referred to by me may be printed in the order I have indicated.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

Seventy-fourth Congress of the United States of America; at the second session, begun and held at the city of Washington on Friday, the 3d day of January 1936

An act to provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes

Be it enacted, etc., That the Governor of the Farm Credit Administration, hereinafter in this act referred to as the "Governor", is hereby authorized to make loans to farmers in the United States and in Alaska, Hawaii, and Puerto Rico, during the year 1936, for following, for the production of crops, for planting, cultivating, and harvesting of crops, for supplies incident to and necessary for such production, planting, cultivating, and harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such persons and agencies, upon such terms and conditions, and subject to such regulations, as the Governor shall prescribe.

SEC. 2 (a) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production, planting, cultivating, or harvesting, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan for the purchase or production of feed for livestock, a first lien upon the livestock to be fed. Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan. Each loan shall bear interest at the rate of 5½ percent per annum.

(b) The amount which may be loaned to any borrower pursuant to this act shall not exceed \$500: *Provided, however,* That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations and with such maturities as he may prescribe therefor.

(c) No loan shall be made under this act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this act.

SEC. 3. (a) The moneys advanced by the Governor in connection with each loan made under the provisions of this act are declared to be impressed with a trust to accomplish the purposes provided for by this act (namely, for following, for the production of crops, for planting, cultivating, and harvesting of crops, for supplies incident to such production, planting, cultivating, and harvesting, and for feed for livestock, or for any of such purposes); and may be used only for the purposes stated in the borrower's loan application, and until so used shall continue subject to such trust and be free from garnishment, attachment, or the levy of an execution.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this act.

(c) It shall be unlawful for any person to charge a fee for the purpose of preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this act.

(d) Any person violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment for not more than 6 months, or both.

SEC. 4. The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended. For the purpose of carrying out the provisions of this act and of collecting loans made under acts of the same general character, including loans made by the Governor with funds appropriated under the provisions of the Emergency Appropriation Act, fiscal year 1935, the Governor is authorized to use the facilities and services of any agency, institution, or corporation operating under the supervision of the Farm Credit Administration, and any officer or employee of any such agency, institution, or corporation, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses; and such agencies, institutions, and corporations are hereby expressly em-



powered to enter into agreements with the Governor for the accomplishment of such purposes.

Sec. 5. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000,000, or so much thereof as may be necessary, to carry out the provisions of this act. Any moneys so appropriated, and all collections of both principal and interest on loans made under this act, may be used by the Governor for making loans under this act and for all necessary administrative expenses in carrying out the provisions of this act and in collecting outstanding balances on crop production, seed, and feed loans made under prior legislation of the same general character.

(b) Expenditures for printing and binding necessary in carrying out the provisions of this act may be made without regard to the provisions of section 3709 of the Revised Statutes.

Message from the President of the United States returning, without approval, the bill (S. 3612) entitled "An act to provide loans to farmers for crop production and harvesting during the year 1936, and for other purposes"

February 24 (calendar day, Feb. 26), 1936.—Read; referred to the Committee on Agriculture and Forestry and ordered to be printed

To the Senate:

I return herewith, without my approval, S. 3612, a bill entitled "To provide loans to farmers for crop production and harvesting during the year 1936, and for other purposes."

This bill authorizes an appropriation of \$50,000,000 from the general fund of the Treasury for loans to farmers during the year 1936, for production of crops—principally seed loans.

In approving the bill providing \$40,000,000 for crop production loans for 1934, I stated that I did so on the theory that it was proper to taper off the crop-loan system, which had been initiated on a large scale as early as 1931, rather than to cut it off abruptly, particularly since such loans would serve a useful purpose in aiding certain farmers unable to qualify for crop-production loans through the newly established farmers' production credit associations, and that the 1934 loan by the Government should thus be considered as a tapering-off loan.

It is true that I gave my approval to a \$60,000,000 crop-production loan for 1935, but this loan was primarily for relief purposes principally in the drought-stricken areas, and I recommended to the Congress that the cost of such loans should properly be defrayed from the appropriation for relief purposes. Accordingly \$60,000,000 was reappropriated from unobligated balances under allocations from the appropriation of \$525,000,000 for relief in stricken agricultural areas contained in the Emergency Appropriation Act passed the previous year.

In my Budget message, transmitting the 1937 Budget, I stated: "If the Congress enacts legislation at the coming session which will impose additional charges upon the Treasury for which provision is not already made in this Budget, I strongly urge that additional taxes be provided to cover such charges."

No provision was made in the financial program for the fiscal year 1936, or the fiscal year 1937, for additional crop loans, and, notwithstanding my Budget statement, quoted above, the Congress by this bill authorizes an additional draft upon the Treasury for \$50,000,000 for new crop loans, without making provision for any revenue to cover such loans.

However, while I am returning this bill without my approval, I recognize that there still exists a need for crop-production loans to farmers whose cash requirements are so small that the operating and supervisory costs, as well as the credit risk, make credit unavailable to them at this time through the usual commercial channels and who, unless extended assistance of this character, would no doubt find it necessary to seek some other form of relief from the Government. This is particularly true with respect to those areas in which unusual conditions prevail because of drought, dust storms, floods, rust, and other unforeseen disasters.

I fully agree with the Congress that provision should be made for such borrowers during the year 1936, but I feel that other borrowers should seek credit elsewhere.

I am convinced that the immediate and actual needs to which I have referred can be met during the year 1936 by an expenditure of funds materially less than that proposed in the bill under discussion.

Furthermore, these needs can be met, without the necessity of enacting authorizing legislation, through an allocation of funds by me from the appropriation provided in the Emergency Relief Appropriation Act for 1935, which appropriation, I am informally advised by the Comptroller General of the United States, can be utilized for such loans as I might indicate by Executive order to be desirable and necessary as relief measures.

I believe, therefore, that a special appropriation by the Congress at this time is both inadvisable and unnecessary. That being so, and in the absence of such legislation, I propose in order to meet this need to issue an Executive order within the next few days.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

February, 26, 1936.

Seventy-fourth Congress of the United States of America; at the second session, begun and held at the city of Washington on Friday, the 3d day of January 1936

An act to provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes

Be it enacted, etc., That the Governor of the Farm Credit Administration, hereinafter in this act referred to as the "Governor",

is hereby authorized to make loans to farmers in the United States and in Alaska, Hawaii, and Puerto Rico, during the year 1936, for following for the production of crops, for planting, cultivating, and harvesting of crops, for supplies incident to and necessary for such production, planting, cultivating, and harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such persons and agencies, upon such terms and conditions, and subject to such regulations, as the Governor shall prescribe.

Sec. 2. (a) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production, planting, cultivating, or harvesting is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan for the purchase or production of feed for livestock, a first lien upon the livestock to be fed. Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan. Each loan shall bear interest at the rate of 5½ percent per annum.

(b) The amount which may be loaned to any borrower pursuant to this act shall not exceed \$500: *Provided, however,* That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations and with such maturities as he may prescribe therefor.

(c) No loan shall be made under this act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this act.

Sec. 3. (a) The moneys advanced by the Governor in connection with each loan made under the provisions of this act are declared to be impressed with a trust to accomplish the purposes provided for by this act (namely, for following, for the production of crops, for planting, cultivating, and harvesting of crops, for supplies incident to such production, planting, cultivating, and harvesting, and for feed for livestock, or for any of such purposes); and may be used only for the purposes stated in the borrower's loan application, and until so used shall continue subject to such trust and be free from garnishment, attachment, or the levy of an execution.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this act.

(c) It shall be unlawful for any person to charge a fee for the purpose of preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this act.

(d) Any person violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment for not more than 6 months, or both.

Sec. 4. The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended. For the purpose of carrying out the provisions of this act, and of collecting loans made under acts of the same general character, including loans made by the Governor with funds appropriated under the provisions of the Emergency Appropriation Act, fiscal year 1935, the Governor is authorized to use the facilities and services of any agency, institution, or corporation, operating under the supervision of the Farm Credit Administration, and any officer or employee of any such agency, institution, or corporation, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses; and such agencies, institutions, and corporations are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes.

Sec. 5. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000,000, or so much thereof as may be necessary, to carry out the provisions of this act. Any moneys so appropriated, and all collections of both principal and interest on loans made under this act, may be used by the Governor for making loans under this act and for all necessary administrative expenses in carrying out the provisions of this act and in collecting outstanding balances on crop production, seed, and feed loans made under prior legislation of the same general character.

(b) Expenditures for printing and binding necessary in carrying out the provisions of this act may be made without regard to the provisions of section 3709 of the Revised Statutes.

JOSEPH W. BYRNS,

Speaker of the House of Representatives.

KEY PITTMAN,

President of the Senate pro tempore.

[Endorsement on back of bill:]

I certify that this act originated in the Senate.

ED. A. HALSEY, Secretary.



Executive order allocating funds to the Farm Credit Administration and prescribing rules and regulations for the making of emergency crop loans under the Emergency Relief Appropriation Act of 1935

By virtue of and pursuant to the authority vested in me by the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), it is hereby ordered as follows:

1. There is set aside from funds provided by the said act for the use of the Farm Credit Administration for the purpose of making loans to farmers during the year 1936, under limitation (b) in section 1 of the said act, in the United States, Hawaii, and Puerto Rico, for following, for the production of crops, for planting, cultivating, and harvesting crops, for supplies incident to and necessary for such production, planting, cultivating, and harvesting, and for feed for livestock, or for any of such purposes, under such terms and conditions as the Governor of the Farm Credit Administration (hereinafter referred to as the Governor) may prescribe, a sum not to exceed \$30,000,000, of which the sum of \$7,000,000 is hereby allocated to the said Administration to be supplemented from time to time by such additional allocations as may be necessary.

2. The amount which may be lent to any one borrower shall not exceed \$200, and each applicant for a loan shall establish to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such conditions as the Governor may prescribe, that the applicant is unable to procure such loans from any other source: *Provided*, That preference shall be given to the applications of farmers whose cash requirements are small.

3. Loans made under the provisions of this order shall be secured by a first lien, or by an agreement to give a first lien, upon all crops of which the production, planting, cultivating, or harvesting is to be financed, in whole or in part, with the proceeds of such loans or in case of any loan for the purchase or production of feed for livestock a first lien upon the livestock to be fed. Such loans shall be made and collected under such regulations as the Governor shall prescribe, and shall bear interest at the rate of 5½ percent per annum.

4. Fees for recording, filing, registration, and examination of records (including certificates) in connection with each loan made hereunder shall be paid by the borrower: *Provided, however*, That such fees aggregating not to exceed 75 cents per loan may be paid by him from the proceeds of his loan. No fees for releasing liens given to secure loans shall be paid from the funds made available hereunder.

5. The funds hereby or hereafter allocated may be used also for all necessary administrative expenses in carrying out the provisions of this order to and including June 30, 1937.

6. In carrying out the provisions of this order, the Farm Credit Administration may (a) make expenditures for supplies and equipment, traveling expenses, rental of offices, printing and binding, and other necessary expenses; and (b) accept voluntary and uncompensated services, appoint officers and employees without regard to the provisions of the civil-service laws and regulations, and fix the compensation of any officers and employees so appointed without regard to the Classification Act of 1923, as amended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, February 28, 1936.

UNITED STATES SENATE,  
COMMITTEE ON AGRICULTURE AND FORESTRY,  
Washington, March 5, 1936.

HON. FRANKLIN D. ROOSEVELT,

The White House, Washington, D. C..

DEAR MR. PRESIDENT: We, the undersigned members of the Senate Committee on Agriculture and Forestry, ask that \$28,500,000 be immediately allocated for seed-loan purposes.

Telegrams received indicate that this is a minimum amount necessary for those, who without funds, must make arrangements now for planting their crops. The committee, in a lengthy session, discussed this matter today. The regional managers of the seed loan have indicated the amounts necessary for their districts. From the tone of these telegrams, or most of them, this amount is indicated as being needed now.

In order that those who receive this aid may know how to arrange their affairs it is absolutely necessary for them to be advised at this time when and how much they may depend upon. The planting season is on, and it is indispensable that this information be available for them.

Yours very sincerely,

Ellison D. Smith, Burton K. Wheeler, Elmer Thomas, George McGill, W. J. Bulow, Hattie W. Caraway, Louis Murphy, James P. Pope, Carl A. Hatch, Theodore G. Bilbo, Lewis B. Schwellenbach, Arthur Capper, Peter Norbeck, Lynn J. Frazier, Henrik Shipstead.

THE WHITE HOUSE,  
Washington, D. C., March 9, 1936.

HON. ELLISON D. SMITH,

Chairman, Committee on Agriculture and Forestry,

United States Senate.

MY DEAR SENATOR: This is in reply to the letter of March 5, 1936, addressed to me by yourself and other members of the Senate Committee on Agriculture and Forestry, with respect to the allotment of funds under my Executive order of February 28, 1936, for the purpose of making loans to farmers during the year 1936 for production of crops.

I note that you and your committee members are of the opinion that at least \$28,500,000 should be immediately allotted for the making of these loans and are requesting that this be done.

In my Executive order I set aside, or earmarked, not to exceed \$30,000,000 for this purpose, of which \$7,000,000 was immediately allotted, and I stated that additional allotments would be made from time to time as might be necessary. I propose to carry out this program. The Governor of the Farm Credit Administration advises me that an additional \$13,000,000 will be required on or about March 20, at which time I shall cause that sum to be made available. He further advises that additional funds may be required on or about April 10, at which time I will take the necessary action to see that such amount as may be shown to be necessary is supplied. I cannot see why this arrangement should not be satisfactory to all concerned.

It is not practicable to make an immediate allotment of all of the funds estimated to be required since it is necessary to follow the routine of drawing in unobligated balances from various allotments of emergency funds and making them available for the making of crop-production loans. This will be done, of course, as rapidly as possible and in ample time to meet the needs of the Farm Credit Administration.

I trust that the foregoing will be sufficient to assure you and the members of your committee that adequate provision will be made for providing funds for the making of the loans in question as the need for them becomes necessary.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

#### MEASUREMENT OF VESSELS USING THE PANAMA CANAL

The Senate resumed consideration of the bill (S. 2288) to provide for the measurement of vessels using the Panama Canal, and for other purposes.

The VICE PRESIDENT. The pending question is on agreeing to the amendment in the nature of a substitute offered by the Senator from North Carolina [Mr. BAILEY].

Mr. GORE. Mr. President, when I was interrupted I was observing that the plan of reduced tolls and permitting ships to evade the proper payment of tolls is a progressive evil. Statistics show that it is growing worse year by year. An end ought to be put to this practice.

I dislike to harp too much on the recent Japanese ships, but they illustrate the point. Japan until recently was paying tolls on 94 percent of the tonnage on which she ought to pay, as compared with an average of 85 percent. Four Japanese ships recently put into commission will pay on 68 percent of the tonnage on which they ought to pay. This illustrates the growing evil.

I may say to the Senator from Georgia [Mr. GEORGE], whether present or absent, that there is no one who has had the hardihood to defend this dual system of measurement and these absurd consequences which follow it.

Mr. President, may I have read at the desk at this point a few remarks made by former House leader Mondell, delivered in the other House October 1, 1919, when this endless question was then before the House for consideration?

The PRESIDING OFFICER (Mr. BURKE in the chair). Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

MR. MONDELL. Mr. Chairman, the question is, Shall we have a rule of measurement for the computation of the tolls of the Panama Canal which fairly measures the carrying capacity of the vessel, or shall we have a rule which tempts men to build ships in such a way as to enable them to carry cargo and dodge the payment of tolls—a rule under which certain classes of cargo go through the Canal without the payment of the tolls other classes of cargo pay? In other words, shall we have an honest rule based on the carrying capacity of the ships, or shall we have a dishonest rule under which certain ships and certain classes of cargo will enjoy a certain exemption from tolls, while all other ships and all other cargoes pay full tolls?

It is the fair, reasonable, sensible, honest rule, and it can injure no man.

Mr. GORE. That speech was delivered in the House of Representatives some 17 years ago, when the House was undertaking to rectify the evils resulting from the dual system of measurements. The speech is as fitting today as it was then, and we may be as far from a solution of the question today as we were then.

I now wish at this point to have read at the desk a few remarks delivered in the House of Representatives on the same day by Representative Esch, of Wisconsin, a gentleman known personally to many Members of the Senate, and one who stands high in the esteem of Congress and the country.



Mr. Esch was chairman of the House Committee on Interstate and Foreign Commerce and reported the bill.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

MR. ESCH. The effect of this decision was practically to destroy the Panama Canal rules of measurement and substituting therefor the rules of measurement prescribed by the United States statutes. There also resulted a discrimination between vessels of different nationalities and a reduction in the revenues. I wish to state as one of those who helped to frame the Panama Canal Act that we thought we were framing legislation which would enable the Panama Commission to fix tolls under the rules prescribed by the proclamations of the Presidents. It was not our purpose that the tollage should be determined by the United States rules of measurement based upon net tonnage, but the decision of the Attorney General stands to this day, and it is to relieve the operations on the Isthmus of the decision of the Attorney General that this bill has been introduced (CONGRESSIONAL RECORD, Oct. 1, 1919, p. 6214).

MR. ESCH. Mr. Chairman, this bill comes before this Congress with the endorsement of the Secretary of War. It comes here with the endorsement of Colonel Harding, Governor of the Panama Canal Zone. It comes here with the endorsement of General Goethals, who knows more about the Canal and its administration than any other living man. It comes here with the endorsement of the Commissioner of Navigation, who stated that the Panama Canal rules of tollage and measurement were the most scientific rules in any nation in the world. For these reasons we ask that this bill be passed (CONGRESSIONAL RECORD, Oct. 1, 1919, p. 6216).

MR. GORE. Mr. President, the present dual system of measurement results in a ship subsidy—a subsidy not prescribed by the Congress of the United States, a subsidy not fixed by the Government of the United States, but a subsidy which is measured and determined by the ship companies themselves. It is a subsidy not limited to American vessels alone. It is a subsidy which is availed of by foreign vessels as well; a subsidy availed of by the competitors of our own shipping concerns.

I submit to the Senate, if we are to have a ship subsidy, let us limit it to ships of our own registry, ships bearing our own flag. In order to secure a small subsidy to American vessels, let us not continue to pay a much larger subsidy to foreign vessels. That is the point I wish to make in this connection.

The question has been raised as to what effect the pending measure would have, if passed, upon the transcontinental railroads.

MR. PRESIDENT, the railroads did not appear at the hearings before the committee of either House. They made no protest against the pending bill. I think we may safely infer from their absence that their interest was not vitally affected; but we need not rely upon that inference. It is perfectly obvious that their interest will not be materially affected, because this measure, if passed and put into effect, will not materially affect the average rate of tolls now charged for passage through the Panama Canal. I have already indicated that making certain allowances for social halls or public rooms and the like, the average rate charged for 1935 was 87 cents per ton, and the average rate charged for 1934 was 88 cents per ton. We are given assurance that this measure, if enacted and carried out, would impose a toll of 90 cents a ton. That would not materially affect the Pacific railroads. It is a mere trifle; and I may say to Senators that this measure was not drawn ad captandum. It is drawn in the light of the history of the Canal. It is drawn in the light of all the experience we have had. It is drawn in the light of the status quo, and it is prepared with a view to occasioning the least possible disturbances in present relationships.

The shipping concerns are opposed to the bill because they fear its enactment would entail an increase in the tolls which they pay. Undoubtedly it would require concerns which are now paying less tolls than they ought to pay to pay more tolls. Concerns which today—and no doubt there are some—are paying more tolls than they ought to pay would under this measure pay less tolls than they are now paying. That would be merely ironing out these discriminations and anomalies—a course to which I think no one can object.

Of course, Senators understand that the rate referred to here—90 cents a ton—relates to the tonnage of the ships. It has no relation to the freight or to the freight rates charged on the cargoes carried by the ships; and no comparison of rates would be admissible, I believe, as between the ships and the railway companies. So I feel safe in assuring the Senate that there would be not the slightest reaction against the interest or unreasonableness in favor of the transcontinental railroads. The effect would be immaterial.

There is one other point to which I wish to call the attention of Senators.

It has been repeatedly stated here that section 1 of this bill as originally introduced carried substantive legislation, and that section 2 provided for raising a commission to make an investigation and report. Senators have made the point that we propose, first, to legislate, and then to investigate; and they have insisted that we ought first to investigate and then to base our legislation on the report or the results of the investigation.

If that point really represented the facts it would, of course, be well taken. It would be perfectly absurd to legislate first and then to investigate afterward. It would be a good deal like the mob which wanted the jury to give up the room where they were considering the guilt or innocence of the accused party in order that the mob might lay out the criminal in the jury room. They had already taken summary action in the premises.

What does this bill do? Because, if that objection were true, the bill would propose an absurdity and ought not to be enacted.

I ask Senators to go back to March of last year, when this bill was introduced. As I say, section 1 contained substantive legislation. It fixed a maximum rate of \$1 per ton in order to protect the shipping concerns. It fixed a minimum rate of 60 cents per ton in order to protect the Government. It then authorized the President to ascertain and promulgate an official rate somewhere between the maximum and the minimum. That is what section 1 provided. The bill, as introduced, provided that section 1 should go into effect on September 1, 1936.

On the first day of the coming September, section 1 was to go into effect. The investigation called for in section 2 did not relate to the objective set out in the substantive portion of section 1. The investigation authorized in section 2 related to new conditions which have arisen with reference to shipping which the President should take into account when promulgating the new rules of measurement under section 1.

Section 2 authorized a commission to be raised to make a study and a report as to the rates of toll which should now be imposed in view of the changed conditions of shipping; and the President, when he proceeded to carry into execution section 1, authorizing him to fix tolls, would have the report of the committee at hand, ready to proceed; and section 2, providing for the commission, was to go into immediate effect. If this bill had passed in June last, the President then would have appointed the commission, and section 2 required the commission to submit its report on or before January 1 of the current year—on or before January 1 last—in order that the President might then take into account the results of its studies and of its recommendations, and embody those suggestions in his proclamation when he proceeded to carry out the powers vested in him under section 1.

MR. PRESIDENT, that explains the anomaly and the purpose. The difference between these dates—January 1 last and September 1 next—was intended to give the shipping companies an opportunity to adapt themselves to the new rules of measurement, to prepare for the new tolls that would be imposed, and to get in shipshape, to set their houses in order, looking to the execution of this measure when it went into effect.

That is all the measure does. It does not, in section 2, raise a commission which is to make any study and report as a predicate for section 1, because section 1 fixes a maximum



and a minimum which ought to be fixed, and ought to be fixed now, and authorizes the President to promulgate a system of rules of measurement and tolls. Those two powers which are reposed in the discretion of the President are to be exercised by him on the basis of the report, when submitted. It saves time. It obviates another unending delay. That, I take it, is the reason why the shipping companies are opposed to the bill. It would be ready for enforcement on the 1st day of September.

I repeat, this measure has been drawn not recklessly or ad captandum or without regard to all interests concerned. It has been drawn with reference to all those interests, and it protects them. If the proposed legislation does not pass now, I am afraid it never will pass, because, as I have already suggested, the jurisdiction over this subject in the House of Representatives has been transferred from the Interstate and Foreign Commerce Committee, a friendly committee, to the Merchant Marine and Fisheries Committee, which I am informed—and I speak only upon that information—is a committee unfriendly to the pending legislation.

There are one or two other collateral points to which I shall merely make reference.

The Senator from North Carolina [Mr. BAILEY] argued ably and conclusively that the American merchant marine is an essential auxiliary alike to the American Army and the American Navy. There is no dispute upon that point. That is merely demonstrating what is self-evident. But I believe that the Secretary of War, charged peculiarly with the common defense, may as safely be trusted in the consideration of legislation of this sort as may the shipping concerns, who naturally wish to keep their tolls down. There is no controversy on that point.

The Senator from North Carolina also suggested that our coastwise trade ought to be given some special consideration or favor.

That is a question worthy of debate and consideration. It is immaterial now, because our coastwise trade does not now enjoy any particular favor or consideration under existing law. It will occupy the same status, if the pending measure becomes law, which it now occupies. So that point is really foreign to the appropriate consideration and decision of the issue now involved.

Mr. President, the Senator from North Carolina pleaded eloquently, like the old Roman motto, *Fiat lux*—let there be light. I should certainly be the last to resist a prayer of that kind. Why not, as a matter of practical legislation, defeat the pending substitute for the bill? I should then have no objection to attaching the substitute to section 1 as an amendment. Section 2 was included in the bill when it was originally introduced, providing for the investigation. I have no particular objection to the investigation. I do not think it is necessary; but if other Senators disagree with me, I defer to their judgment.

I ask Senators to defeat the pending substitute; and if they do so, I will then, if it be in order, offer to attach the substitute as an amendment to section 1 in order that the measure may pass; and if there be any additional data, if there be any further information available, or if Senators desire to exhaust the possibility and be assured that there are no further data available, I shall have no objection to that course.

#### NATIONAL BOY SCOUT JAMBOREE

Mr. COOLIDGE. Mr. President, I ask that the Senate proceed to the consideration of House Joint Resolution 443. This measure merely seeks to reenact a joint resolution which the Senate passed last year, and which was approved on June 17, relating to the Boy Scout Jamboree, which was abandoned last year because of an epidemic of infantile paralysis. The only difference between the measure passed last year and the one I am now asking to have considered is that in this joint resolution the date is made 1937 instead of 1935.

The PRESIDING OFFICER (Mr. BURKE in the chair). Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 443) to amend Public Resolution No. 31 of the Seventy-fourth Congress, first session, approved June 17, 1935, so as to extend its provisions to cover the National Boy Scout Jamboree now scheduled to be held in 1937.

Mr. COOLIDGE. Mr. President, I may say that my reason for asking consideration of the joint resolution at this time is that about 800 of the Boy Scouts are in session at French Lick at this time, and they would like to have the measure passed while they are in session, between the 11th and the 18th of March.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed, as follows:

*Resolved*, That Public Resolution No. 31 of the first session, Seventy-fourth Congress, approved June 17, 1935, is hereby amended as follows: In section 1 of the public resolution after the words "to be held in the United States in" the figures "1935" are amended to read "1937."

#### THE KERR TOBACCO ACT, THE BANKHEAD COTTON ACT OF 1934, AND THE POTATO ACT OF 1935

Mr. GLASS. Mr. President, I report favorably without amendment from the Committee on Appropriations House Joint Resolution 514, authorizing the completion of certain records and operations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes. I ask for the immediate consideration of the joint resolution.

The necessity for the proposed appropriation arises out of the fact that the Bankhead Cotton Act, the Kerr Tobacco Act, and the Potato Act of 1935 were repealed, and commitments had already been made under them. The unpaid obligations of these Government activities totaled the amount which is unanimously reported by the Committee on Appropriations.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

There being no objection, the Senate proceeded to consider the joint resolution, which was ordered to a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That not to exceed \$1,068,825 (to be available until Sept. 1, 1936) of the appropriation of \$296,185,000 for "Payments for agricultural adjustment" contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936 (Public Act No. 440, 74th Cong.), may be used by the Secretary of Agriculture for the following purposes:

(1) So much as may be necessary, not to exceed the sum of \$1,026,000 (notwithstanding the repeal by Public Act No. 433, 74th Cong., of Public Law No. 483, 73d Cong., as amended, known as the Kerr Tobacco Act, and Public Law No. 169, 73d Cong., as amended, known as the Bankhead Cotton Act of 1934, except sec. 24 thereof, and secs. 201 to 233, both inclusive, of Public Law No. 320, 74th Cong., known as the Potato Act of 1935), for the redemption of tax-payment warrants as provided in such Kerr Act, including administrative expenses necessary therefor; for salaries and administrative expenses incurred on or before February 10, 1936, under such three acts, or sections of acts, repealed; for such personal services and means in the District of Columbia and elsewhere, including rent, printing and binding, travel, and other administrative expenses incurred after that date as the Secretary of Agriculture and the Commissioner of Internal Revenue, respectively, deem necessary, in order expeditiously to complete and preserve all of the administrative records showing the various transactions and activities involved in the administration of such acts; and, if no other funds are available, for such salaries and administrative expenses as were incurred on or before February 10, 1936, in the operation of the several cotton tax-exemption certificate pools established pursuant to regulations prescribed under said Bankhead Act, and such salaries and administrative expenses thereafter incurred as the Secretary of Agriculture finds to be necessary for the purpose of completing the work relating to and liquidating, as soon as may be, such pools.

(2) So much as may be necessary, not to exceed the sum of \$42,825, for salaries and necessary administrative expenses in the District of Columbia and elsewhere, to complete the work of auditing vouchers and payment of freight bills in transactions entered into by the Secretary of Agriculture with relation to the purchase and sale of seed as a result of the allocations to the Secretary of Agriculture authorizing the purchase and sale of seed made pursuant to the Emergency Appropriation Act, fiscal year 1935.

The Secretary of Agriculture shall transfer to the Treasury Department, out of the funds made available by this joint resolution, such sums (not to exceed a total of \$175,000) as are required for



the Bureau of Internal Revenue to carry out the above-stated purposes.

SEC. 2. The sum of \$453,100 of the appropriation of \$296,185,000 referred to in section 1 hereof shall be returned to surplus immediately upon the enactment of this joint resolution.

#### WORKS PROGRESS ADMINISTRATION IN WEST VIRGINIA

Mr. HOLT obtained the floor.

Mr. TOWNSEND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Keyes	Overton
Ashurst	Copeland	King	Pope
Austin	Costigan	La Follette	Radcliffe
Bachman	Couzens	Lewis	Reynolds
Bailey	Davis	Logan	Robinson
Barkley	Dieterich	Long	Russell
Benson	Donahey	McAdoo	Schwellenbach
Bilbo	Duffy	McGill	Sheppard
Black	Fletcher	McKellar	Shipstead
Bone	Frazier	McNary	Smith
Borah	George	Maloney	Steiwer
Bulkeley	Gibson	Metcalf	Thomas, Okla.
Bulow	Glass	Mintom	Townsend
Burke	Gore	Moore	Trammell
Byrd	Guffey	Murphy	Tydings
Byrnes	Hale	Murray	Vandenberg
Capper	Harrison	Neely	Walsh
Caraway	Hatch	Norbeck	Wheeler
Carey	Hayden	Norris	White
Clark	Holt	O'Mahoney	
Connally	Johnson		

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

Mr. HOLT. Mr. President, yesterday Mr. Harry L. Hopkins, chief generalissimo of the expenditure of relief funds in the United States, wrote me a letter in reply to a number of charges I had made in the United States Senate about conditions in connection with the Works Progress Administration in West Virginia.

I do not know where Mr. Hopkins bought the whitewash, but if I could have had the contract for the whitewash he used in this report, I could retire for life on just the commissions. He whitewashed enough to make a center line from the city of Charleston clear to the city of Washington, and proceeding, according to his usual practice, to erect buildings like the famous house which Chic Sale told us how to construct, he had enough whitewash to whitewash every one of them which he had constructed during the particular time of his administration.

I stated in West Virginia, and I repeat here, that the investigation conducted by Mr. Hopkins' agents under the leadership of Mr. Alan Johnstone was a sham, a fraud, and a farce. There was no intention to investigate. There was no intention in their minds to bring in any reports, except to clear the W. P. A. itself. To find Mr. McCullough guilty would have been to find Mr. Hopkins guilty, and sending any of Mr. Hopkins' force down to investigate Mr. McCullough in the State of West Virginia was like sending "Baby Face" Nelson down to investigate John Dillinger.

Not only that: I really believe that Albert B. Fall, when he was in charge of the Department of the Interior, at least would have brought in a more fair report and a more honest report relative to the Teapot Dome than Harry Hopkins has brought in about the W. P. A. in the State of West Virginia. I think this letter should be preserved in the Smithsonian Institution. There are more lies per square inch in that particular report than in any other report in the history of the United States. In other words, the whole thing was "covered up."

When I brought the charges, Mr. Johnstone came to me and said, "Whom do you want me to see in West Virginia?" I gave him a list of a number of men to see. Did he see them? Not very many. Here are the reports from the men, the names of whom I gave him to go and see to get particular information to substantiate my charges. Here is what Senator Dan Fleming, president pro tempore of the Senate of the State of West Virginia, said in a letter of March 10:

I received a wire from Mr. Johnstone asking that I come to Charleston to meet him if convenient for me to do so. I wired him that I would meet him the next day, Saturday, at 1 o'clock. I called at his room and found that he was out of the city, but had left an assistant to interview me.

Here is a letter I received from a relief administrator whose name I gave him as a particular person to see:

Johnstone sent me the following telegram: "I am advised by Senator RUSH D. HOLZ that you have information which will assist me in my inquiry of the W. P. A. in West Virginia. Will it be possible for you to confer with me here at the Daniel Boone Hotel today or tomorrow?" I wired Johnstone that I would be glad to meet him for an interview at the Daniel Boone Hotel Saturday at 2 o'clock p. m. On arriving at the appointed time I was met by one of Mr. Johnstone's men, a Mr. Shulkin, who wanted to know if I would talk to him in place of Johnstone. He explained to me that Mr. Johnstone was out.

Here is a letter from another one I asked him to call on:

Relative to Alan Johnstone, the W. P. A. investigator, a telegram was received here Friday afternoon asking Pat to go to Charleston either Friday afternoon or Saturday and hand over to Johnstone such affidavits as were available, and any other information we might have relative to the W. P. A. set-up in this district.

It was physically impossible for us to drop everything and rush to Charleston. We already had made definite plans to spend Saturday in Jackson County. We had conferences set for Friday afternoon and today with labor leaders here, and tomorrow we have been invited to attend the opening of court in Wayne County.

We wrote to Mr. Johnstone telling him that the affidavits were available here, and that we could put him in touch with their authors, and others interested in W. P. A. efficiency here, if he could find time to visit Huntington. Thus far, we have not heard from him.

Oh, he wanted to investigate, Mr. President! I am sure he wanted to investigate!

Here is a letter from a man in Logan County, the name of whom I gave him. Here is the letter. Mr. Sedinger wrote:

Due to my not receiving a telegram from Mr. Johnstone, who was investigating the W. P. A., until I reached Charleston on Sunday, I was unable to see him on Monday when I called him at the hotel. I hope, however, that he will be back in Charleston soon and I will have an opportunity to see him at that time. You, however, have the information which I gave you in Charleston recently; and if he desires to investigate those complaints he would have no trouble in doing so.

That is not all. Here are some more of the witnesses, just to show how he dodged the whole thing. Here is a letter from the man in charge of one of the county taxpayers' leagues:

We have not seen Mr. Johnstone, but reported circumstances of interview with one of his staff Saturday, which information you have heard. Nothing since.

Here is a wire from the prosecuting attorney of one of the counties of West Virginia:

Johnstone not in Point Pleasant, to my knowledge. Received letter from him asking me if I wanted to see him, making no definite suggestion for engagement, and not suggesting visiting Mason County, and not asking for any information or the names of individuals whom he could contact.

Oh, yes; Mr. Johnstone conducted a very thorough investigation! Here is another man, whose name I gave him, who was an employee of the W. P. A. He wired me the following:

Johnstone made no effort to see me.

Here is another one from the oldest member of the House of Delegates in the State of West Virginia:

Did not see Johnstone or have any communications from him.

Here is another letter from a man who was the director of the Wheeling district, Hon. George Oldham, who was chairman of the finance committee of the house of delegates, whose name was on the list:

Johnstone called about 10 o'clock Thursday and wanted me to come to Fairmont Hotel to see him. It was impossible for me to leave here, due to several prior engagements. He did not come to Wheeling to see me.

I could go ahead along this line, Mr. President. Those are just the reports of some of the witnesses who had facts, but Mr. Johnstone did not want the facts. Harry Hopkins did not want the facts about the W. P. A. to be known to the people of the State of West Virginia. He is more extravagant with his words than he is with the people's money, and he is about as reckless in handling his words as he is in handling the money of the people of the United States.



I spoke about whitewash a minute ago. Do Senators know what Mr. Hopkins and his friends have done? They have appropriated approximately \$644,000 for sanitary privies in the State of West Virginia and approximately \$224,000 for feeding children! That is a wonderful exhibit of what he is trying to do.

Let us go a little bit further and see about the investigation as conducted by Mr. Johnstone, who is the star investigator of Mr. Harry Hopkins, whom I spoke about as being "cocky Harry." He is cocky, because he is sitting back on the money bags, and too many of the Senators and too many of the people are fearful of saying anything about it for fear their States will be punished.

I desire to say the persons I named in the W. P. A. staff to contact Mr. Johnstone, after they told Mr. Johnstone a story, were fired from the W. P. A. Let me give you a telegram from one of them.

I told Mr. Johnstone to see Mrs. Helen Gardner, and here is what she replies:

Senator RUSH D. HOLT:

Was seen in your office. Dismissal notice yesterday.

HELEN GARDNER.

But, of course, there is nothing wrong about that—not a thing in the world.

Then down at Charleston the administrative assistant and office manager came in and gave me a story, and yesterday he was fired without any reason at all. He fired him because he told the truth.

I shall give the Senate some more instances at a later date; but I do not want to continue to hold the Senate for so very long, because if I started today telling the rottenness of the W. P. A. in West Virginia, the Senate could not adjourn in time for the conventions. It is the most rotten, reckless expenditure of public money ever known in our State.

I could tell Senators many incidents that I know of. Do Senators know what it costs the W. P. A. to cut down a tree in West Virginia? We have figured it out. It costs them \$27 to cut down one tree! That is a wonderful work-relief program they are giving in that State!

Mr. Johnstone comes out in his famous—I do not know what kind of a sheet you would call it—and says that the people in the Parkersburg office had had money demanded from them for my political broadcasts. That is another one of the lies that Mr. Hopkins tells.

Here is a telegram from Parkersburg. I quote it, and put it in the RECORD:

Have wired Associated Press: "Was in charge of arrangements for broadcast of Senator HOLT's speech at St. Marys on February 8. Mr. McCullough's charge that assessment was levied against W. P. A. employees to pay for this broadcast is absolutely false." ALBERT HOY.

Not only that, but he goes ahead and sends me another telegram and wants to know if Mr. McCullough would tell how much he collected from the Parkersburg people for his Christmas present, instead of the political broadcasts. How much do Senators suppose this broadcast cost? It cost \$109, and they are very fearful that that would hurt the expenditure of money in West Virginia.

Another thing: Mr. Tucker, who was fired yesterday, used to be my secretary here, and went back to Charleston on the W. P. A. One day the investigator came in to see him. He demanded of him, "Where are the letters from Senator HOLT?"—not from any other person in official life, but "Where are the letters from Senator HOLT?" This young man showed him the letters from me. He said, "Some of those letters are missing. Where are they?" and he put Mr. Tucker through a regular third degree of questions. He was not interested in any letters that were in Mr. McCullough's office or Mr. Smith's office, but he repeated, "Where are the letters from Senator HOLT about the W. P. A.?" and he said, "If you cannot produce them, we will get them from his file in Washington."

Oh, there is no doubt about that, because someone went into my desk while I was down in Charleston. While I was investigating W. P. A. in Charleston, somebody broke in my office and investigated what was in my desk in Washington.

Of course, I would not imply that this wonderful man who would whitewash, and who had such charges as that against him, would do it.

Let me go a little bit further into the charge concerning the W. P. A. Mr. Johnstone, through Mr. Hopkins, says that there is no politics in West Virginia; that everything is lily white and pure; that if anyone mentioned politics he would be put out.

I am going to submit for the record the list of every single person in the State office of the Works Progress Administration and who appointed him, every person in the Lewisburg office, every person in the Elkins office, every person in the Charleston office, and I gave the Senate a list of those in the Fairmont office the other day. Here are the letters sent me by the directors themselves. I wish Senators would check them and see how many political endorsements are listed.

Mr. President, I ask unanimous consent that these names and recommendations be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

WORKS PROGRESS ADMINISTRATION,  
Charleston, W. Va., January 28, 1936.

Hon. RUSH D. HOLT,

United States Senator, Washington, D. C.

MY DEAR SENATOR HOLT: In keeping with your recent request for the names, salaries, and sponsors of the respective persons upon the administrative pay roll in the State offices of the Works Progress Administration, I beg to hand you herewith the same.

Trusting that this information is that which you desire, or that your request contemplated, I am,

Sincerely,

F. W. McCULLOUGH,

Works Progress Administrator for West Virginia.

Works Progress Administration—West Virginia

STATE ADMINISTRATOR'S STAFF

Name	Salary per month	Sponsor
Abe Forsythe	\$300.00	H. F. Fitzpatrick.
Leonard W. Mosby	283.66	W. E. Chilton, Jr., Gazette.
Mary H. Camp	208.33	G. I. Neal, F. W. McCullough.
Mary F. Hill	135.00	F. W. McCullough.
A. L. Kenna	125.00	Jo N. Kenna.
Annabelle Dadisman	120.00	Forrest Poling.
Anita Toothman	120.00	Dr. R. J. Wilkinson.
Hilda Price	105.00	L. W. Mosby.
Ethel Hanley Jones	105.00	Selene Gifford.
Fanny Field	105.00	Jo Kenna.
Margaret T. King	85.00	H. R. Pinkard, editor, Herald Advertiser.
Mary Cook Waller	85.00	Dr. Roy B. Cook, Charles Lively.
Irene Summers	85.00	Joe Doring.
Gates Hume	70.00	Charleston Gazette, Robert Smith.
Randolph Irving	65.00	Forrest Poling.

#### DIVISION OF FINANCE AND REPORTS

Ben H. Puckett	\$375.00	U. S. Treasury and regional examiners.
Maurice Lipian	250.00	B. H. Puckett.
O. P. Frame	200.00	Braxton County committee.
W. B. Calder	175.00	Mr. Kennedy, of Securities and Exchange Commission.
Morris McConihay	175.00	Dr. G. C. Robertson.
George Neil Daniels	175.00	Becknell.
B. T. Beazley	150.00	J. H. Long.
Paul B. Shanks	150.00	C. H. Hardesty.
John W. Sheffield	150.00	Logan County commission.
J. D. Stone	150.00	Distress case.
Alma Jarrell	130.00	Joe L. Smith.
George A. Brooks	125.00	J. H. Long.
R. H. Stebbins	125.00	B. H. Puckett.
Margaret Shriver	110.00	Dr. G. C. Robertson.
Maitland Cadden	100.00	E. C. St. George.
Gladys Clay	100.00	G. C. Worrell.
Elva French	100.00	United Mine Workers of America.
Charlotte Jeffries	95.00	Dr. Ward H. Wylie.
Jo Long Almon	105.00	Do.
Alice Risk	105.00	Distress case.
Aldine Kirk	105.00	J. H. Long.
Mary Bee	105.00	George I. Neal.
Elizabeth Looser	100.00	Do.
Pauline Bass	105.00	Distress case.
Frances Roach	100.00	J. H. Long.
Inez E. Burgess	85.00	Logan County commission.
Nelle Rice	85.00	United Mine Workers of America.
Nadine Harvey	65.00	Joe L. Smith.

#### OFFICE MANAGER AND CHIEF CLERK

R. W. Hall	\$200.00	E. L. Beck, Dr. R. J. Wilkinson.
E. T. Jones	200.00	B. H. Puckett.
R. L. Southern	150.00	Congressman J. Kee.
Eleanor A. Freed	105.00	Dr. Robertson.
Lillian Heater Ancion	105.00	Rush Holt.



*Works Progress Administration—West Virginia—Continued*  
OFFICE MANAGER AND CHIEF CLERK—continued

Name	Salary per month	Sponsor
Helena Carrier.....	\$85.00	F. W. McCullough.
Chester C. Leonard.....	85.00	H. Robinson.
Anna Mae Crane.....	65.00	E. G. Johnson.
W. L. Pence.....	65.00	Do.
F. L. Rectenwald.....	65.00	F. W. McCullough.
Catherine Shea.....	65.00	Jack Shea.
Rae Hillery.....	54.00	Dr. Robertson.

<sup>1</sup> P. B. X. operator.

DIVISION OF LABOR MANAGEMENT

H. B. Colebank.....	\$350.00	M. M. Neely, Rush Holt, Van Bittner.
D. P. Phares.....	283.33	Do.
D. S. Ware.....	208.33	Do.
U. A. Knapp.....	200.00	Do.
E. M. Rymer.....	120.00	H. B. Colebank.
Helen M. Warwick.....	105.00	Do.
Mayme G. Hadveck.....	105.00	D. P. Phares.

DIVISION OF PROJECTS AND PLANNING—PROFESSIONAL AND SERVICE PROJECTS

Clyde Billups.....	\$300.00	Van Bittner, E. C. St. George.
Dean L. Ricketts.....	175.00	Walker Long.
Myrtle R. Cooke.....	105.00	V. A. Bittner.
Nedra Moses.....	105.00	Glenn Callaghan.

COMPENSATION DIVISION

C. L. Heaberlin.....	\$275.00	Rush Holt, Van Bittner, M. M. Neely.
Frank W. Springer.....	155.00	W. A. Thornhill.
Gladia Pauley.....	105.00	C. L. Heaberlin.
W. R. Kerns.....	85.00	Do.
Hila Shumate.....	85.00	Do.

DIVISION OF INFORMATION AND PUBLICATION

J. Samuel Kean.....	\$105.00	Charleston Daily Mail, L. W. Mosby.
H. C. Smith.....	105.00	Clyde Billups.
Frances Stanley.....	105.00	Do.
Suella Stalnaker.....	85.00	T. Townsend.
Evaline Luckwell.....	85.00	Kanawha County committee.
Kathleen Edelman.....	65.00	Do.
Mary V. Harris.....	65.00	M. M. Neely.
Mildred Harwood.....	65.00	Kanawha County committee.

DIVISION OF PROJECTS AND PLANNING—WOMEN'S PROJECTS

Dora Garlitz.....	\$266.66	M. M. Neely, Rush Holt.
Marie Niles.....	100.00	Dora Garlitz.
Lucy M. Lohan.....	105.00	M. M. Maloney.
Mildred Mastin.....	85.00	E. R. Hubbard.
Ethel Zacks.....	85.00	Dora Garlitz.
Elizabeth Waldron.....	65.00	Distress case.

DIVISION OF PROJECTS AND PLANNING—EDUCATIONAL PROGRAM

Glenn S. Callaghan.....	\$300.00	Rush Holt.
A. H. Toothman.....	200.00	Dr. Joseph Rosier, M. M. Neely.
John M. Love.....	150.00	David Ware.
George B. White.....	105.00	Labon White, W. W. Trent.
Goldie Scott.....	85.00	Glenn Callaghan.
Bessie Casdorff.....	65.00	J. B. Easton.

DIVISION OF SAFETY

M. C. McCall.....	\$275.00	Borrowed from the U. S. Bureau of Mines.
William E. Kight.....	200.00	F. B. Poling, Dora Garlitz.
W. F. Short.....	200.00	F. W. McCullough.
A. E. Morgan.....	200.00	H. E. Webb, superintendent, Chesapeake & Ohio.
F. H. Rhea.....	200.00	M. C. McCall.
Stanley Spoor.....	200.00	Wellman, editor, Huntington Advertiser.
W. P. Kelly.....	200.00	E. C. St. George.
Mary C. Eddins.....	105.00	Ann Wetherby.
Ruth Locke.....	105.00	E. C. St. George.

CHIEF ENGINEER'S STAFF

E. Clere Smith, Jr.....	\$375.00	M. M. Neely, H. Hardesty.
Edward Hart.....	225.00	M. M. Neely.
J. C. Myers.....	200.00	Joe Kenna.
John R. Rice, secretary to G. Lancaster.....	175.00	G. G. Lancaster.
Kay Rogers.....	120.00	R. H. F. Parsley, Wayne County committee.
Eva Rhodes.....	105.00	G. Lancaster.
Jeanette Groninger.....	105.00	S. T. Mallison, H. M. Cogan.
Betty Bronson.....	65.00	Virgil Ross, Home Owners' Loan Corporation.

*Works Progress Administration—West Virginia—Continued*  
PERSONNEL DIVISION

Name	Salary per month	Sponsor
E. C. St. George.....	\$300.00	F. W. McCullough.
Dorothy Montgomery.....	105.00	L. O. Gastineau; Veterans' Placement Office.
Juanita Miller.....	85.00	Kanawha County committee.

DIVISION OF PROJECTS AND PLANNING

H. M. Cogan.....	\$283.33	Arthur Koontz.
Scott A. Trevarthen.....	225.00	E. L. Bailey.
J. H. Moore.....	200.00	Kanawha County committee.
W. L. McMorris.....	200.00	E. C. Smith, Jr.
R. O. Lewis.....	175.00	John L. Lewis, Van Bittner.
A. B. McCutcheon.....	120.00	J. H. Long.
Agla McVey.....	105.00	Ralph Hiner.
Frances McAlhatten.....	105.00	A. J. Barnhart.
Josie Lee Priode.....	105.00	Senator J. Green.
Mary V. Waldo.....	105.00	R. E. Sherwood.
W. R. Wortham.....	165.00	M. M. Neely.
C. T. Smoot.....	105.00	E. C. St. George.
Mariam Parkhurst.....	105.00	H. M. Cogan.
Strossia Brooks.....	85.00	Do.
Thomas Arnold, Jr.....	85.00	Frank Drumheller.
Margaret White.....	65.00	E. G. Johnson.

*First district administrative personnel (January 1936)*

Name	Position	Recommended by—
<b>ADMINISTRATIVE</b>		
Forrest B. Poling.....	District director.....	
Mark O. Pugh.....	Office manager.....	E. C. Bennett.
Ruth Schaffner <sup>1</sup> .....	Secretary to director.....	Howard L. Robinson.
Celeste Hickman.....	Junior stenographer.....	Mark O. Pugh.
Virginia K. Johnson.....	PBX operator.....	(?).
James A. McDonald.....	Under clerk, store.....	D. P. Phares.
<b>FINANCE AND REPORTS</b>		
John F. Parsons.....	Supervisor, finance.....	(?).
Russell Rollins.....	Supervisor, tool and equipment inventory.....	(?).
Hansford Dye.....	Clerk, tool and equipment inventory.....	Rush D. Holt and M. M. Neely.
Robert M. Hall.....	Supervising pay-roll clerk.....	Rush D. Holt.
John A. Gilbert.....	Pay-roll clerk.....	(?).
Frank Grove.....	Supervisor pay roll, assignment records.....	J. Buhl Shahan.
Dana Fitzwater.....	Comptometer operator.....	(?).
H. Wayne Powers.....	Senior stenographer.....	(?).
Virginia Kismar.....	Individual earning, record clerk.....	John Caplinger. <sup>1</sup>
Hazel Rollins.....	Junior stenographer.....	Harry Taylor, Jennings Randolph, and Leo Casey.
Katherine Isner.....	Under stenographer.....	M. M. Neely, D. P. Phares, and Bryon Hamilton. <sup>2</sup>
Adrian Parrack.....	Typist.....	M. M. Neely and J. Buhl Shahan. <sup>3</sup>
Leona Skidmore.....	Pay-roll typist.....	John Parsons. <sup>3</sup>
Raymond Thomas.....	Proofreading clerk.....	(?).
Evelyn Keller.....	do.....	(?).
Kathleen Piercy.....	Typist.....	(?).
<b>ADMINISTRATIVE CONTROL</b>		
E. C. Bennett.....	Chief engineer and assistant director.....	Assigned from Charleston.
Frank L. Downey.....	Area engineer.....	M. M. Neely.
Adam Marshal.....	Area engineer.....	(?).
George H. Higgs.....	do.....	(?).
John C. Potts.....	do.....	William W. Downey.
Russell C. Quinn.....	do.....	(?).
Harry D. Scott.....	do.....	(?).
Charles E. Minor.....	do.....	(?).
Frank A. Mayola.....	Chief requisition clerk.....	Leo A. Casey.
Darl B. Welch.....	Junior clerk.....	Frank A. Mayola.
Junita Phillips.....	Junior stenographer.....	E. C. Bennett.
Anne Steffe.....	do.....	Wm. W. Downey.
Lillian Blackford.....	do.....	John Alfriend.
Julia Moats.....	Under stenographer.....	(?).
Opal M. Sheets.....	do.....	(?).
Gertrude Holliday.....	do.....	Forrest B. Poling.
Brenice Wilmoth.....	do.....	(?).
<b>PROJECTS AND PLANNING</b>		
John B. Archer.....	Supervisor.....	Assigned from Charleston.
J. H. Roush.....	Senior staff engineer.....	John B. Archer.
Forrest Houdysbell.....	Junior engineer.....	(?).
Rella L. Butcher.....	Director, women's work.....	Mrs. Dora Carlitz.
Elinor Lee.....	Home economist.....	John Alfriend and W. W. Downey.
Martha Bogdonovich.....	Junior stenographer.....	(?).
Odessa Manning.....	Under stenographer.....	Forrest B. Poling.

[See footnotes at end of table]



## First district administrative personnel (January 1936)—Continued

Name	Position	Recommended by—
<b>LABOR MANAGEMENT</b>		
Leo A. Casey	Supervisor	Assigned from Charleston. Geo. Dixon.
Harley O. Staggers	Safety representative	Harry Taylor, Leo Casey, M. M. Neely.
Harold B. Woodford	do	M. M. Neely, Buhl Shahan. John Caplinger, and D. P. Phares.
Guy Means	do	Forrest B. Poling.
Glenn B. Orr	Labor inventory clerk	Assigned from Charleston. A. M. Starling. <sup>1</sup>
William E. Taylor	Senior clerk	George Arnold.
Una M. Emmart	Senior stenographer	D. P. Phares, J. Buhl Shahan.
Howard C. Myers	Junior clerk	Shaffer.
Olive I. Painter	Junior stenographer	Wm. Hamby and Claude Shaffer.
Columbia White	Under clerk	J. Buhl Shahan and M. M. Neely.
Martha D. Brown	do	Thaddeus Pritt, Dr. F. E. Baron.
Goldie K. Sponagle	do	J. Buhl Shahan, Jennings Randolph.
<b>INTAKE AND CERTIFICATION</b>		
Helen A. Gaynor	District supervisor	Assigned from Charleston. (?)
Mary Hervatine	Junior stenographer	(?)

[See footnotes at end of table]

## First district administrative personnel (January 1936)—Continued

Name	Position	Recommended by—
<b>COMPENSATION</b>		
Fairfax Brown	Supervisor	M. M. Neely, D. P. Phares, and Rush D. Holt.
Clarence Workman	Claim inspector	Assigned from Charleston. (?)
Pauline Collett	Typist	(?)

<sup>1</sup> Miss Schaffner was employed, as indicated, upon the recommendation of Howard L. Robinson as to her stenographic ability and accepted by me because of her geographical residence for the reason that I wanted a secretary who had no connections in the first district. Miss Schaffner was at that time a resident of Clarksburg.

<sup>2</sup> All persons indicated in this manner were placed on the administrative pay roll of this office after having been called in to the office and after having worked long enough to convince us of their ability to perform the services assigned to them. These persons were employed because of their own personal ability, and not because of recommendations, political or otherwise.

<sup>3</sup> Persons indicated in this manner were tentatively selected upon their apparent merits, except as otherwise indicated, and were all approved as to qualifications by Ben H. Puckett, State supervisor of finance, after his inspection of their personal application and history and after having had, with the exception of typists, a personal interview.

<sup>4</sup> The persons indicated in this manner are all serving as engineers and their appointment was requested by me upon the recommendation of E. C. Bennett, chief engineer, who had personally interviewed each one and was acquainted with their training, experience, and ability in engineering work.

<sup>5</sup> Miss Bogdonovich was recommended to me by a Legionnaire friend, W. C. Ingram, of Davis, W. Va., and she was employed after a trial of her ability and I might add that she is now one of the best and most conscientious workers on the administrative staff.

## Works Progress Administration, West Virginia, Charleston district office

Title	Name	Monthly rate	Annual rate	Recommended by—
<b>EXECUTIVE DIVISION</b>				
District director	S. Grover Smith	\$283.33	\$3,400	Kanawha County committee.
Secretary	Julia G. Barkley	120.00	1,440	S. Grover Smith.
<b>OFFICE MANAGEMENT</b>				
Office manager	Dorr M. Tucker	225.00	2,700	Senator Rush D. Holt.
Senior stenographer	Frances L. Gluesenkamp	105.00	1,260	Dorr Tucker.
Messenger and supply clerk	Chester C. Whitney	65.00	780	Plus R. Levi.
<b>ADMINISTRATIVE DIVISION</b>				
Assistant district director	Jos. R. Blackburn	266.66	3,200	Senator Neely.
Senior engineer	Frances G. Davidson	200.00	2,400	F. W. McCullough.
Do	Harry L. Haverstick	200.00	2,400	Do.
Do	E. B. Snider	200.00	2,400	Grover Smith.
Do	M. J. McChesney	200.00	2,400	Kanawha County committee.
Do	Harry L. Butler	200.00	2,400	Ann Wetherby, Welch.
Do	Rupert M. Wilson	200.00	2,400	Logan County committee.
Do	H. Fred Willfong	200.00	2,400	W. A. Thornhill, Jr.
Do	John G. Wingfield	200.00	2,400	J. R. Blackburn.
Senior statistician	F. W. Gibson	155.00	1,860	Senator Rush D. Holt.
Junior engineer	A. J. Foy	150.00	1,800	E. C. St. George.
Do	H. S. Dilcher	150.00	1,800	Kanawha County committee.
Do	E. R. Wiley	150.00	1,800	
Do	Leslie A. Fields	150.00	1,800	
Do	J. B. Alderson	150.00	1,800	
Senior stenographer	Elsie E. Nichols	105.00	1,260	
Junior stenographer	Kathrine L. Gramm	85.00	1,020	S. G. Smith and Dorris Tucker.
Do	Earle B. Hall	85.00	1,020	Plus R. Levi and S. G. Smith.
Do	Virginia Wash	85.00	1,020	Chas. Gazette.
Do	Jane Thom	85.00	1,020	Distress case.
Do	Edythe Abbott	85.00	1,020	Homer Hannah.
Do	Edna G. Scott	85.00	1,020	G. C. Robertson and G. Smith.
Do	Lynwood L. Frost	85.00	1,020	
Do	Pearl Goldberg	85.00	1,020	
Do	Helen Hazel Frame	85.00	1,020	Mrs. Camp.
<b>DIVISION OF WOMEN'S WORK</b>				
Director	Sallie B. Spencer	200.00	2,400	Kanawha County committee.
Area supervisor	Ethel May Bennett	120.00	1,440	Senator John Greene, Mingo.
Do	Hope Fitzgerald	120.00	1,440	C. Henderson, Montgomery.
Under stenographer	Verna L. Null	65.00	780	Kanawha County committee.
<b>DIVISION OF FINANCE AND REPORT</b>				
Supervisor	H. S. Trotter	225.00	2,700	Ben Puckett and S. G. Smith.
Assistant supervisor	A. G. Breedlove	175.00	2,100	E. C. St. George.
Do	Chester A. Cawley	175.00	2,100	Kanawha County committee.
Toll and equipment supervisor	C. E. Rippetoe	135.00	1,620	
Junior accountant	Huley A. Browning	120.00	1,440	Logan County committee.
Do	Adam Cavender	120.00	1,440	Kanawha County committee.
Do	Farris Tabet	120.00	1,440	Do.
Senior clerk	Ben F. Watson	105.00	1,260	F. W. McCullough.
Do	William F. Brackett	105.00	1,260	Mrs. S. W. Price, Scarbo.
Senior stenographer	Mamie M. Hatcher	105.00	1,260	H. S. Trotter.
Junior clerk	John R. Strango	85.00	1,020	Sen. John Greene.
Do	Donald T. Ellis	85.00	1,020	Kanawha County committee.
Do	Genevieve Kohlbecker	85.00	1,020	F. C. St. George.
Junior stenographer	Alice Little	85.00	1,020	United Mine Workers of America.
Do	Edith M. Ulbrich	85.00	1,020	Do.
Do	Winnie T. Willis	85.00	1,020	Dorr Tucker.
Do	Orva W. Carden	85.00	1,020	Wyoming County committee.
Do	Frances Richardson	85.00	1,020	Kanawha County committee.
Do	Virginia Givens	85.00	1,020	United Mine Workers of America.
Junior typist	May Shears Hively	85.00	1,020	Earl Brawley.
Do	Victoria Tabet	85.00	1,020	Distress case.
Under typist	Betty Jane Jarrett	65.00	780	Kanawha County committee.
Do	Betty Jane Stewart	65.00	780	Distress case.
Do	Clarice McClung, distress case	65.00	780	J. DeGruyter, Jr.

## Works Progress Administration, West Virginia, Charleston district office—Continued

Title	Name	Monthly rate	Annual rate	Recommended by—
DIVISION OF FINANCE AND REPORT—CON.				
Under typist.....	Mable Epling.....	\$65.00	\$780	E. C. St. George.
Do.....	Mary F. Campbell.....	65.00	780	A. M. W. A.
Do.....	Alvena Mays.....	65.00	780	Kanawha County committee, distress case.
Do.....	Helen Farley.....	65.00	780	W. A. Thornhill, Jr.
Do.....	Lillian Matthews.....	65.00	780	Kanawha County committee; E. C. St. George.
Do.....	Elmo Williams.....	65.00	780	William Blizzard, N. M. W.
Do.....	Irene Vaughn.....	65.00	780	Logan County, Dr. Sarley.
Do.....	Virginia Meadows.....	65.00	780	Mrs. Ann Weatherby.
Verification clerk.....	Leo C. Withrow.....	65.00	780	United Mine Workers of America.
SAFETY DIVISION				
Safety inspector.....	Charles Waugh, Jr.....	125.00	1,500	H. E. Dillon, Jr.
Do.....	Grover C. Johnson.....	125.00	1,500	Ann Weatherby.
Do.....	Louis A. Veasey.....	125.00	1,500	Kanawha County committee.
Senior Stenographer.....	Pearl Steel.....	105.00	1,260	Plus Levi.
Claim examiner.....	Benjamin E. Tolbert.....	140.00	1,680	Senator John Greene, Mingo.
Do.....	Charles Edward Bowman.....	135.00	1,620	Harberlin.
INTAKE AND CERTIFICATION				
Supervisor.....	Adah D. Hereford.....	150.00	1,800	E. C. St. George.
DIVISION OF LABOR MANAGEMENT				
Supervisor.....	A. L. Snyder.....	258.33	3,100	Senators Holt, Neely, and V. A. Bittner.
Assistant supervisor.....	Howard Kuhn.....	208.33	2,500	Do.
Supervising clerk.....	C. W. Poling, Jr.....	125.00	1,500	G. C. Steel, Logan County; G. N. Daniels.
Do.....	F. W. Blizzard.....	120.00	1,440	U. M. W. of A.
Senior stenographer.....	Nelle McLloyd.....	105.00	1,260	Labor organizations.
Junior stenographer.....	Emily Lee Hale.....	85.00	1,020	Do.
Do.....	Joann D. Songer.....	85.00	1,020	Do.
Do.....	Daphene V. Sanders.....	85.00	1,020	E. C. St. George.
Junior stenographer.....	Willia Stell.....	85.00	1,020	Labor organizations.
Do.....	Mildred Stover.....	85.00	1,020	Do.
Under stenographer.....	Millie C. Ross.....	65.00	780	Do.
Do.....	Eileen K. Ellis.....	65.00	780	E. C. St. George, distress case.
Senior clerk.....	Sam L. Belk.....	105.00	1,260	F. W. McCullough.
Junior clerk.....	Margaret M. Bell.....	85.00	1,020	Labor organizations.
Do.....	Clara Fox.....	85.00	1,020	Do.
Do.....	Opal Westfall.....	85.00	1,020	Rush D. Holt.
Do.....	H. A. Drew.....	85.00	1,020	Labor.
Do.....	Doris M. Staats.....	85.00	1,020	H. B. Colebank.
Do.....	Dorothy Hudson.....	85.00	1,020	Henry Colebank.
Under clerks.....	Gertrude M. McDermott.....	65.00	780	John Easton and Blizzard.
Do.....	Jack A. Barnette.....	65.00	780	Labor organizations.
Do.....	Margaret Maser.....	65.00	780	Do.
Do.....	Annie F. Whiddon.....	65.00	780	Silene Gifford.
Total (97 employees).....		11,196.65	134,360	

Works Progress Administration in West Virginia, Jan. 27, 1936  
SECOND DISTRICT, FAIRMONT

Title	Name	County	Salary	Recommendations
ADMINISTRATIVE CONTROL				
Acting director and chief engineer.....	Harold F. Kramer.....	Taylor.....	Annual \$3,200	W. J. Gates and associates, Robert F. Roth.
Office engineer.....	C. Crow Batson.....	Monongalia.....	2,400	F. Guy Ash, Colonel Robinson.
District supervisor, women's work.....	Irene Gillooly.....	Harrison.....	2,100	Howard L. Robinson and associates.
Area engineer.....	W. L. Burton.....	Marshall.....	2,100	W. C. Ferguson and associates.
Do.....	Earl E. Brane.....	Harrison.....	2,100	Howard L. Robinson and associates.
Requisition engineer.....	O. R. Wilson.....	Preston.....	2,100	Harold F. Kramer, Robert F. Roth, and J. V. Gibson.
Liaison officer.....	H. Sutton Sharp.....	Marion.....	2,100	C. E. Smith.
Administrative assistant.....	Mose McKay Darst.....	Monongalia.....	2,000	Terrence Stewart, Walter S. Hart.
Area engineer.....	James C. Reich.....	do.....	1,800	Jake Wharton, Walter S. Hart.
Do.....	Ray Shaw.....	Hancock.....	1,800	Sheriff J. A. Tope and associates.
Do.....	Homer E. Poling.....	Barbour.....	1,800	W. J. Gates and associates.
Office engineer.....	James W. Hewitt.....	Harrison.....	1,620	Harold F. Kramer.
Area engineer.....	L. F. Oneacre.....	Wetzel.....	1,500	A. C. Chapman and associates.
Do.....	C. W. Monroe.....	Marion.....	1,500	Homer C. Toothman and associates.
Junior engineer.....	Harry W. Weaver.....	Wetzel.....	1,500	A. C. Chapman and associates.
Supervising clerk.....	J. Paul Finley.....	Hancock.....	1,500	Sheriff J. A. Tope and associates.
Home economist.....	Aileen Berdine.....	Wetzel.....	1,500	A. C. Chapman and associates.
Senior stenographer.....	Besse J. Vernon.....	Hancock.....	1,200	Sheriff J. A. Tope and associates.
Do.....	Anne Rady.....	Harrison.....	1,200	Howard L. Robinson and associates.
Do.....	Mildred Stalnaker.....	Marion.....	1,200	Robert F. Roth.
Senior clerk.....	Bess A. Orr.....	Preston.....	1,200	J. V. Gibson and associates.
Junior stenographer.....	Leah Lipson.....	Marion.....	960	A. M. Rowe.
Requisition typist.....	Helen Welmer.....	do.....	720	C. E. Smith.
Do.....	Jane C. Staggers.....	do.....	720	Do.
PROJECTS AND PLANNING				
Supervisor.....	George J. Gow.....	do.....	1,800	Homer C. Toothman, C. E. Smith.
Assistant supervisor.....	W. J. Gates.....	Taylor.....	2,400	M. M. Neely, Rush D. Holt.
Junior engineer.....	Emory A. Hoke.....	Preston.....	1,500	Harold F. Kramer.
Senior stenographer.....	Fern Gwyn.....	Marion.....	1,200	C. E. Smith.
Junior stenographer.....	Clara Tetl.....	do.....	960	C. E. Smith, Frank Miley, Van A. Bittner.
LABOR DEPARTMENT				
Supervisor.....	Harry C. Loudon.....	do.....	3,100	Van A. Bittner, Frank Miley.
Assistant supervisor.....	P. F. Buckley.....	do.....	1,800	Do.
Supervising clerk.....	Joseph Holtz.....	Monongalia.....	1,500	F. Guy Ash, Frank Miley, Harry C. Loudon.
Senior clerk.....	W. G. Smallridge.....	Harrison.....	1,260	Howard L. Robinson and associates.
Senior stenographer.....	Maxine Hughes.....	Taylor.....	1,200	W. J. Gates and associates.
Do.....	Marie C. Silber.....	Marshall.....	1,080	W. C. Ferguson and associates.
Junior stenographer.....	Filomena Micozzi.....	Preston.....	960	J. V. Gibson and associates.
Junior clerk.....	Olive T. Mason.....	Marion.....	840	C. E. Smith.
Under clerk.....	Steve J. Antalis.....	Hancock.....	780	Sheriff J. A. Tope and associates.



Works Progress Administration in West Virginia, Jan. 27, 1936—Continued  
SECOND DISTRICT, FAIRMONT—continued

Title	Name	County	Salary	Recommendations
<b>LABOR DEPARTMENT—continued</b>				
Under clerk	Wade H. Robinson	Harrison	Annual \$780	Howard L. Robinson and associates.
Do	Mildred Kress	Brooke	780	Robert L. Ramsey and associates.
Do	Lelah M. Mauler	Taylor	780	W. J. Gates and associates.
Typist	Margaret J. Yager	Barbour	780	Do.
Do	Dorothy Evans	Preston	780	J. V. Gibson and associates.
Do	Ruth Stewart	Wetzel	780	A. C. Chapman and associates.
Under clerk	Lena Coffman	Marion	720	Earl Smith.
Do	Mary Ellen Knight	do	720	Frank Miley.
<b>INTAKE AND CERTIFICATION</b>				
Supervisor	Anne Tryon	Marshall	1,200	Selene Gifford.
Do	Katherine Dearien	Monongalia	1,200	Do.
Senior stenographer	Edythe M. Satterfield	Marion	960	Homer C. Toothman and associates.
Under clerk	Ruth Posten	do	720	C. E. Smith.
<b>FINANCE AND REPORTS</b>				
Assistant supervisor	Samuel T. Burke	do	2,100	Marshall E. Ashcraft.
Certifying officer	Grover C. Starkey	Harrison	1,500	Howard L. Robinson and associates.
Assignment supervisor	J. Harry Meredith	do	1,500	Do.
Pay-roll clerk	Stanley C. Lantz	Monongalia	1,500	Terrence Stewart, Walter S. Hart.
Assistant supervisor tools and equipment	C. Glenn Emerson	Preston	1,500	J. B. Gibson and associates.
Verification clerk	James Madison Lyon	Harrison	1,320	Howard Robinson and associates.
Material and supply clerk	Vincent Tropea	Marion	1,260	Homer C. Toothman and associates.
Posting clerk	Alex V. St. Clair	Monongalia	1,200	Walter S. Hart, Jake Wharton.
Senior stenographer	Jessie D. Cox	Marion	1,200	J. Clyde Morris.
Master card file operator	Lee Bowman	Taylor	1,020	W. J. Gates and associates.
Supervising typist	Rosanna Wilson	do	1,020	Do.
Computometer operator	Helen Louise Spring	Marion	960	Homer C. Toothman and associates.
Verification clerk	John Martin Creighton	do	960	Do.
Do	Roy Hunter	do	960	Fred M. Jamison.
Posting clerk	Paul L. Falkenstine	Marion	960	Homer C. Toothman and associates.
Verification clerk	William Ray Donlin	do	780	Do.
Do	George W. Ullom, Jr.	do	780	Do.
Do	George L. Kerr	do	780	Do.
Do	Walter C. Upperman	do	780	Fred M. Jamison.
Typist	Gladys Barton	do	780	Homer C. Toothman and associates.
Do	Josephine Thomas	Wetzel	780	A. C. Chapman and associates.
Do	Nannie Belle Herron	Hancock	780	Sheriff J. A. Tope and associates.
Do	Mary Dott Hefner	Barbour	780	A. D. Marks.
Do	Eleanor McCarthy	Marion	780	Homer C. Toothman and associates.
Do	Eunice T. Bennett	do	780	Do.
Do	Kathryn McKeever	do	780	Frank Miley, Tony Teti.
Do	Virginia C. Rodgers	do	780	Fred M. Jamison.
Do	Jennie M. Boyce	do	780	Do.
<b>OFFICE MANAGEMENT</b>				
Office manager	Fred M. Jamison	do	2,900	Homer C. Toothman, C. E. Smith, and Alfred Neely.
Supervising clerk	Irene Fowler	do	1,200	C. E. Smith.
Junior clerk	W. D. Straight	do	1,020	M. M. Neely.
Junior stenographer	Gertrude S. Morgan	do	960	Fred M. Jamison.
Junior clerk-receptionist	Martha H. Mitchell	do	840	C. E. Smith.
Junior clerk-messenger	Louis Prozillo	do	840	Homer C. Toothman and associates.
Supply clerk	W. J. LaFollette	do	720	Harry C. Loudon.
Under clerk-telephone operator	Josephine Scott	do	720	C. E. Smith.
<b>SAFETY DEPARTMENT</b>				
Supervisor	William Short	do	2,400	Transferred by D. Witcher McCullough.
District safety representative	Ray Dillon	Taylor	1,500	W. J. Gates and associates.
Do	Albert Angellilli	Marion	1,500	Frank Miley.
Do	C. E. Chaddock	Ohio	1,500	George W. Oldham.
Junior clerk	T. B. Henderson	Marion	1,020	M. M. Neely.
Typist	Martha E. Sheets	Monongalia	780	Jake Wharton.
<b>COMPENSATION DEPARTMENT</b>				
District compensation officer	James P. Burns, Jr.	Marion	2,000	Appointment made in Charleston.
Claim adjuster	C. O. McVicker	Harrison	1,440	Frank Miley.
Do	Thurlow W. Harmon	Ohio	1,440	George W. Oldham.
Field investigator	H. E. Peters	Marion	1,200	Frank Miley, Harry C. Loudon.
Stenographer	Fern Yost	do	960	Jakes P. Burns, Jr.
<b>PROCUREMENT DIVISION</b>				
District procurement officer	W. O. Flesher	Monongalia	2,100	Jake Wharton.
Stenographer	Mabel V. Grimes	do	960	Do.
<b>NATIONAL YOUTH ADMINISTRATION</b>				
District director	George Jackson	Harrison	1,800	Herbert Fitzpatrick, National Committee.
Stenographer	Betty Jane Cross	Marion	780	Glenn S. Callaghan.
County representatives:				
Barbour	K. C. Epling	Barbour	1,800	Do.
Brooke, Hancock	Kenneth H. Hill	Hancock	1,800	Sheriff J. A. Tope and associates.
Marshall, Wetzel	Glenn Jolliffe	Wetzel	1,800	A. C. Chapman and associates.
Harrison	Harold Stewart	Harrison	1,800	Howard L. Robinson and associates.
Marion	Eugene Watkins	Marion	1,800	Homer C. Toothman and associates.
Monongalia	Richard B. Tibbs	Monongalia	1,800	Terrence Stewart, Evelyn Yorke.
Ohio	Charles Nickison	Ohio	1,800	Robert J. Riley and associates.
Preston	William T. Brice	do	1,800	F. Witcher McCullough.
Taylor	Grant Fretwell	Preston	1,440	J. V. Gibson and associates.
	Charles T. Wolfe	Taylor	1,800	W. J. Gates and associates.
<b>EDUCATION AND RECREATION</b>				
District director	Florence H. Wilkinson	do	2,100	Prof. Joseph Rosier and others.
County representatives:				
Barbour, education	Edna Brown Boyles	Barbour	1,440	Glenn S. Callaghan, State office.
Brooke, education	Herbert T. Minnis	Brooks	1,440	Do.
Hancock, education	Donald M. Hartford	Hancock	1,440	Do.
Harrison:				
Recreation	Wade Garrett	Harrison	1,330	Do.
Education	Winifred Mayer	do	1,440	Do.

[See footnotes at end of table]

*Works Progress Administration in West Virginia, Jan. 27, 1936—Continued*  
SECOND DISTRICT, FAIRMONT—continued

Title	Name	County	Salary	Recommendations
<b>EDUCATION AND RECREATION—Cent.</b>				
Marion:				
Education.....	Leslie E. Haught.....	Marion.....	\$1,440	Glenn S. Callaghan, State officer
Recreation.....	Wilford R. Wilson.....	do.....	1,320	Do.
Marshall, education.....	R. G. Stewart.....	Marshall.....	1,440	Do.
Monongalia:				
Education.....	P. E. Hampstead.....	Monongalia.....	1,440	Do.
Recreation.....	Virginia Berry.....	do.....	1,200	Do.
Ohio:				
Recreation.....	Jack C. Maloney.....	Ohio.....	1,330	Do.
Education.....	Teresa Kossuth.....	do.....	1,440	Do.
Preston, education.....	John Hunt.....	Preston.....	1,440	Do.
Taylor, education.....	Clyde Hickman.....	Taylor.....	1,440	Do.
Wetzel, education.....	Mildred B. Monger.....	Wetzel.....	1,440	Do.
<b>SANITATION DIVISION</b>				
County supervisors:			<i>Monthly rate</i>	
Barbour.....	Walker Dadisman.....	Barbour.....	125	W. J. Gates and associates.
Brooke.....	George S. Hoover.....	Brooke.....	125	Robert J. Riley and Robert L. Ramsey want him off.
Hancock.....	Thomas T. Timothy.....	Hancock.....	125	Sheriff wants him off.
Harrison.....	Leon W. Collins.....	Harrison.....	125	Howard L. Robinson and associates.
Marion.....	W. A. Lawler.....	Marion.....	125	O. K., M. M. Neely.
Marshall.....	Harry Knox.....	Marshall.....	125	W. C. Ferguson and associates.
Monongalia.....	R. W. Hancock.....	Monongalia.....	125	O. K., Jake Wharton.
Ohio.....	George L. Johnson.....	Ohio.....	125	Robert J. Riley wants him off.
Preston.....	R. Milford Hardesty.....	Preston.....	125	O. K., J. V. Gibson and committee.
Taylor.....	Ralph S. Kunst.....	Taylor.....	125	W. J. Gates and associates want him off.
Wetzel.....	Andy W. Finley.....	Wetzel.....	125	O. K., A. C. Chapman.
<b>NUTRITION SUPERVISORS</b>				
			<i>Annual</i>	
Barbour.....	Monna Phillips.....	Barbour.....	1,140	Forrest B. Poling and associates.
Brooke.....	Margaret Sanders.....	Brooke.....	1,020	Robert L. Ramsey and associates.
Hancock.....	Nina M. Young.....	Hancock.....	1,200	J. A. Tope and associates.
Harrison.....	Beatrice Scott Smith.....	Harrison.....	1,272	Howard L. Robinson and associates.
Marion.....	Pauline N. Henderson.....	Marion.....	1,296	Mrs. Blanche Shack.
Marshall.....	Margaret H. Peel.....	Marshall.....	1,356	A. C. Chapman and associates.
Monongalia.....	Ida L. Wilson.....	Monongalia.....	1,356	Terrence Stewart, Evelyn Yorke, and Bill Hart.
Ohio.....	Mary E. Gaynor.....	Ohio.....	1,140	Robert J. Riley and associates.
Preston.....	Georgia Wilson.....	Preston.....	1,392	J. V. Gibson and associates.
Taylor.....	Anne E. Cruise.....	Taylor.....	1,200	W. J. Gates and associates.
Wetzel.....	Blanche L. Heinzman.....	Wetzel.....	1,356	A. C. Chapman and associates.
<b>WHEELING—SUBDISTRICT OFFICE</b>				
Manager.....	George W. Oldham.....	Ohio.....	\$2,700	Rush D. Holt.
Area engineer.....	H. B. Wilson.....	do.....	2,100	Rush D. Holt, John B. Easton.
Supervising stenographer.....	Matilda Leichtl.....	do.....	1,320	Geo. W. Oldham.
Senior stenographer.....	Matilda Sauter.....	do.....	1,140	Do.
Senior clerk.....	Alma Gravius.....	do.....	1,020	Do.
Under clerk.....	Pauline A. Stollar.....	do.....	780	Do.

Total, on Fairmont administrative pay roll.....	97
Total, on Wheeling administrative pay roll.....	6
Total, this list paid on projects.....	52
Grand total.....	155

<sup>1</sup> These salaries are not included in the administrative pay roll paid on projects.

<sup>2</sup> \$25 expenses.

**Administrative personnel, third district**

Name and title	Monthly salary	Recommended by—
J. N. Alderson, acting director.....	\$266.66	
Mary M. Arbuckle, under stenographer.....	60.00	Hon. John Kee, Member of Congress.
F. A. Wyant, assistant director and chief engineer.....	258.32	Selected in Charleston.
W. H. Yeager, supervisor projects and planning.....	200.00	Hon. Kerth Nottingham, county chairman; Dr. O. L. Allen, Marlinton.
J. N. Berthy, Jr., field construction engineer.....	175.00	Selected by director and chief engineer on efficiency basis.
Arthur G. Booth, field construction engineer.....	175.00	A. J. Lubliner, Bluefield; Mr. Mathew Holt to Mr. Wyant; Hon. Landen T. Reynolds, county chairman, Mercer County; Hon. M. M. Neely, Member of Senate.
H. M. Venable, field construction engineer.....	175.00	Selected by director and chief engineer on efficiency basis.
W. H. Corder, junior staff engineer.....	150.00	E. C. Smith, Jr., assistant administrator and chief engineer.
H. F. Hackett, junior staff engineer.....	150.00	E. C. Smith, Jr., assistant administrator and chief engineer.
Robert L. Miller, junior engineer.....	100.00	County chairman Summers County and other leading Democrats, Summers County.
Marion E. Smith, senior file clerk.....	80.00	Hon. John Kee, Member of Congress; Hon. M. M. Neely, Senate.
Deecie E. Hanna, junior stenographer.....	80.00	Hon. G. P. Alderson, United States marshal; Mr. S. M. Austin, attorney, Lewisburg, W. Va.
Virginia J. Wood, under stenographer.....	60.00	Selected on efficiency basis by J. N. Alderson, district director.
Virginia M. Betts, under typist.....	60.00	Selected personnel office, on efficiency basis.
E. S. Puckett, supervisor, finance and reports.....	241.66	Selected on efficiency basis by district director.
Charles M. McVey, assistant supervisor, finance and reports.....	125.00	Mr. Ben H. Puckett, State supervisor, finance and reports; Mr. E. O. St. George, State personnel officer.

**Administrative personnel, third district—Continued**

Name and title	Monthly salary	Recommended by—
D. P. Hines, senior clerk.....	\$100.00	Hon. Rush D. Holt, Senator.
D. C. Humphreys, senior clerk.....	100.00	Dr. W. E. Myles, chairman, Greenbrier County committee; Mr. J. W. McClung, sheriff, Greenbrier County.
H. Frank Hunter, senior clerk.....	100.00	Mr. H. G. Harper, mayor, Princeton; Hon. M. M. Neely, Senator.
Homer S. Hurley, senior clerk.....	100.00	Selected by Mr. B. H. Puckett, State supervisor of finance and reports, on efficiency basis.
Thomas P. Doughty, Jr., junior clerk.....	80.00	Hon. M. M. Neely, Senator; Mr. W. E. Myles, county chairman, Greenbrier County.
J. Arlan Hartsook, junior clerk.....	80.00	Selected on experience and efficiency basis.
P. A. Herold, junior clerk.....	80.00	Hon. M. M. Neely, Senator.
Walton W. Hicks, junior clerk.....	80.00	Hon. G. H. Crumpecker, State director F. H. A.
W. P. Ware, Jr., junior clerk.....	80.00	Mr. F. G. Lobban, member State executive committee.
John Coleman McCue, proofreader and typist.....	60.00	Dr. W. E. Myles, county chairman, Greenbrier County.
Gordon Umbarger, junior typist.....	80.00	Hon. C. J. Bell, Summersville.
Mary L. Holcombe, junior stenographer.....	70.00	Hon. Rush D. Holt, Senator.
Richard Alderidge, under stenographer.....	60.00	Selected for emergency need and found competent.
Mary E. Fitzwater, under stenographer.....	60.00	Mr. H. V. Sumers, Nicholas County, and other leading Democrats of Nicholas County.
Virginia Feller, comptometer operator and typist.....	80.00	Hon. M. M. Neely, Senator.
Mary Frank Jackson, supervisor women's work.....	150.00	Mr. Van A. Bittner; Hon. M. M. Neely, Senator; Mrs. Gilmer Easley, member county executive committee, Greenbrier County.
Blanche H. Crickenberger, district field supervisor women's work.....	100.00	Dr. W. E. Myles, county chairman, Greenbrier County.



## Administrative personnel, third district—Continued

Name and title	Monthly salary	Recommended by—
Nellie B. Brackman, under stenographer.	\$60.00	Hon. John Kee, Member of Congress.
Mason Bell, office manager and personnel officer.	200.00	Selected in Charleston; Hon. G. P. Alderson, United States marshal.
Zela Bland, reception clerk and switchboard operator.	100.00	Hon. M. M. Neely, Senator.
John S. Kramer, junior clerk.	80.00	Hon. John Kee, Member of Congress; Hon. M. M. Neely, Senator.
Ardela McKenzie, under stenographer.	60.00	Mr. Hugh Dunn, postmaster, Richwood; Mr. A. E. Dillinger, attorney, Richwood; Mr. T. W. Ayers, attorney, Richwood.
Charles F. Livesay, under clerk.	60.00	Hon. John Kee, Member of Congress, Hon. M. M. Neely, Senator.
R. W. Alt, supervisor, labor management.	241.66	Selected in Charleston.
G. T. Brooks, assignment clerk.	120.00	Selected in Charleston at suggestion of Mr. H. E. Becknell, area supervisor of reports.
Beulah Dean, junior stenographer.	80.00	Mr. R. W. Alt, supervisor labor management.
Raymond L. Dempsey, junior clerk.	80.00	Hon. F. W. McCullough.
Virginia E. Duncan, junior clerk.	80.00	Mr. R. L. Crotchin, county administrator, Monroe County; committee members Monroe County.
Ralph L. Landers, junior clerk.	80.00	Hon. G. P. Alderson, United States marshal.
John S. Rose, junior clerk...	80.00	Miss Ethel Hinton, county chairman, Summers County; Dr. D. M. Ryan, Hinton, to Mr. Wyant; Hon. John Kee, Member of Congress.
Grace L. Wylie, junior clerk...	70.00	Trained assignment worker, requested by the State assignment clerk.
Pearl E. Anderson, under stenographer.	60.00	Dr. Gory Hogg, Lewisburg; Hon. W. H. Sawyers, Hinton.
Mildred E. Thompson, under stenographer.	60.00	Hon. Rush D. Holt, Senator.
Helen Gillespie, under typist.	60.00	Mr. R. W. Alt, labor supervisor.
Mary Karr McLaughlin, under typist.	60.00	Selected on efficiency basis.
R. A. Miller, district safety inspector.	135.00	Dr. W. E. Myles, county chairman, Greenbrier County; Mr. John H. Bowley, deputy marshal.
Cecelia McCue, supervisor intake and certification.	150.00	Selected in Charleston.
W. R. Blankenship, district claim adjuster, compensation.	140.00	Mr. J. W. McClung, sheriff Greenbrier County; Mr. J. M. Holt, former prosecuting attorney, Greenbrier County; selected by State supervisor of compensation.
V. L. Allen, district claim examiner.	135.00	Selected by State supervisor compensation and chief personnel officer.
Faye McClung, under stenographer.	60.00	Selected on efficiency basis.

Mr. HOLT. Mr. Johnstone says that there is no politics in West Virginia. He decries the use of politics. Let me read a letter from Mr. McCullough to my colleague [Mr. NEELY], in which he says:

Please be advised that Mr. Harmon has been in this office, and I feel that in the future he will be in sympathy with the things that are being done in Putnam County.

Oh, no politics; he was just in sympathy with building something down there!

Let me go ahead and list these. This is what the personnel director of the Fairmont district said on October 30:

I am glad to inform you that we are following certain orders from so-and-so and so-and-so on any suggestions as to personnel in Hancock County.

Here is a letter dated November 25:

You will note in Brooke, Hancock, Harrison, Marshall, Ohio, and Taylor Counties the word "no" is typewritten opposite the name of the sanitation supervisors.

Of course, the Senate knows what they are; I need not explain it.

That means these fellows are not with us, and we are going to change these men as quickly as possible. I thought if you had any special reason to contact these foremen, timekeepers, and superintendents, I wanted you to know that the above-mentioned names marked "no" on this list are not our friends.

Oh, Mr. President, of course there is no politics in West Virginia.

Here is a letter dated November 1, which I want to read into the RECORD, written by the same man:

I am enclosing a copy of the county sanitation supervisors; tentative lists of the safety and compensation departments. By way of explanation, about 6 weeks ago—

I want the Senate to get this—

about 6 weeks ago two meetings were held in this office. Those present were: Howard L. Robinson—

I will now identify him. He is United States attorney for northern West Virginia.

William J. Gates, Sandy Toothman—

Who is my colleague's political boss in his home county.

Harry C. Loudon, and Frank Wiley. At that time the enclosed lists were discussed.

Now get this; they were not then satisfied with the people who were there.

By telephone, we contacted J. V. Gibson, Preston County; A. C. Chapman, Wetzel County; W. C. Ferguson, Marshall County; Robert J. Riley and George W. Oldham of Ohio County; Robert L. Ramsey and Abe Pinsky, Brooke County; and Sheriff J. A. Tope, Hancock County.

Of course, they "contacted" them. Let me go ahead with this letter—

After hearing all recommendations and suggestions, the second meeting was held and these lists were drawn up. These lists have been filed with Mr. E. C. St. George, chief personnel director of the Works Progress Administration in Charleston, and an arrangement with him made, whereby these men would be drawn and placed on the pay roll for work as their services were demanded.

Then, he goes ahead and says:

This program has been started with the agreement with Mr. St. George—

Mr. St. George is the State personnel director—

and Mr. McCullough—

The Senate knows who he is—

that the substitutions shown on the list would be changed as soon as—meaning about 1 month after the program is under way in each county, where substitutions are necessary.

To date no substitutions have been made in the sanitation department, but it is our intention, beginning next week, to notify Dr. Eddy, who is in charge of the sanitation program, to start replacing these men in each county, where replacement is necessary.

Now let me read from a letter dated August 1, signed by the same man:

The time to correct mistakes is before they are made, if possible; consequently we don't want anyone on these jobs who is not right. These hundreds of applications going in should be taken around to the "designated" leaders in each county and sorted; then the local leaders can't blame the personnel office if the right boys are not on. This, to my mind, is paramount if this organization is to accomplish what it has to do in the next year.

What did he mean by "next year"—1935?

Let me go a little further and quote from the director of the Wheeling district. Here is what he says:

I was amused at the letter from Mr. Roth, the former director for the Fairmont district. It was common knowledge at the time I came into the organization that Roth was to be fired and a new director appointed.

This was the man who sent the telegram, who said there was not any politics in it. By the way, he got a new job last night. He is to be appointed in charge of the division in my home district—the man who sent a telegram here criticizing me. All right. That is quick work.

I was so informed by Ned Smith, Mose Darst, and also by Witcher, and the reason given was that he was "playing with Tusca Morris"—

Of course, Senators can ask my colleague who Tusca Morris is—

one of NEELY's political enemies; in fact, they told me that Roth and Ashcraft were both to "go", due to their having given Tusca a copy of the pay-roll sheet from the Fairmont office, showing not only the names but the amounts each one was receiving. They had quite a time over this and finally found the sheets under the rug.

It is a bear-in-a-rug proposition.

Here is what he says about an employee who reported.

... He came into my office, produced a little red book, and informed me that his instructions were:

"In Hancock, J. A. Tope—in Brooke, Abe Pinsky—in Ohio, Robert Riley—in Marshall, Tuck Ferguson, and in Wetzel, A. C. Chapman, would name 50 percent of all employees and that he would name the balance."

Of course, there is no politics at all!

I want also to put in the RECORD the actual names handed me by the personnel director of the State, showing who suggested the nutrition supervisors who have charge of feeding the children. I ask that that be inserted in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

*Suggested nutrition supervisors*

County	Name	By whom recommended
<b>DISTRICT NO. 2</b>		
Ohio.....	Mrs. Pauline Henderson.....	Homer Toothman.
Hancock.....	Nina Young.....	J. Alfred Tope.
Wetzel.....	Miss Etta Kiger.....	A. C. Chapman.
Taylor.....	Anna Cruse.....	W. J. Gates.
Barbour.....	Ruth Forney.....	A. D. Marks and approved by Forrest Poling.
Marshall.....	Margaret Peale.....	Mr. Ferguson.
Preston.....	Mrs. Georgia Wilson.....	Democratic committee
Harrison.....	Beatrice Scott Smith.....	Howard Robinson.
Monongalia.....	Mrs. Ethel De Ville.....	Jake Wharton.
<b>DISTRICT NO. 5</b>		
Cabell.....	Mrs. Estella Tabor, Margaret Smith Whalen, assistant.	Mr. Taylor.
Clay.....	Miss Mildred Keith.....	Colebank.
Wayne.....	Mrs. Fannie Smith.....	Mr. Fry.
Lincoln.....	Miss Beatrice Adkins Hamilton.	Mr. McGhee.
Jackson (Ripley).....	Miss Dorothy Snaith.....	Mr. Parsons.
Putnam (Hurricane).....	Miss Dorothy Tallman.....	Dr. Ervin.
Mason.....	Mrs. Ethel Reynolds.....	Mr. Matherson and county court.
Roane (Spencer).....	Miss Louise Snodgrass.....	County court.
<b>DISTRICT NO. 6</b>		
Mingo.....	Mrs. Helen Reid.....	Senator Greene.
Logan (Logan).....	Mrs. Ed Oakley.....	Mr. Joyce.
McDowell (Welch).....	Mrs. Nell Reyburn.....	Mrs. Weatherby.
Wyoming.....	Mrs. Ora Saunders.....	Mr. Clay.
Boone.....	Mrs. Virginia Hopkins.....	Mr. St. George.
Fayette (Ansted).....	Lillian Rule Craig.....	
Raleigh (Beckley).....	Mrs. Harriet Barrett.....	St. George.
Kanawha.....	Mrs. Blanche Meredith.....	O. K.

Mr. HOLT. It has been said that the United States attorney for the northern district did not have anything to do with the W. P. A. A man who is now an employee of the W. P. A. made an application to Robert Roth. He had no connection whatever with Howard L. Robinson, who was United States attorney for the northern district. He had no contact with him orally, by letter, or by messenger. Yet, after he has made application, here is a letter he gets on the 16th day of September 1935. Here is the original letter on the United States attorney's stationery. He says:

I would like to see you tomorrow, if it will be convenient for you to come to the office to see me. You will find me on the ninth floor of the Union National Bank Building.

Sincerely yours,

HOWARD L. ROBINSON.

Then on the 23d of October he writes the following letter:

OCTOBER 23, 1935.

I understand that the airport project in Harrison County, just east of Bridgeport, will get under way in the course of the next week or 10 days, and will probably last about a year.

If you think that the work would not be too far away for you, I would like to know if you would be interested in a position as timekeeper at the project, so that I can recommend you for that post.

Sincerely yours,

HOWARD L. ROBINSON.

He writes him again on the 31st of October. Oh, no; he does not have anything to do with it at all.

A man said before a committee in Charleston that the district attorney for the southern district of West Virginia was naming the set-up. He said he named all the appointees. The district attorney wrote me a letter under date of March 4. I will ask the Senate to listen to it very carefully—written by the man who was charged with naming the appointments. Here is the exact language of the district attorney's letter:

I think I can safely say that fully one-half, and I think much more than one-half, of the appointments made in the Huntington office have been made without my recommendation.

No; he did not name all of them. He just named half of them in a whole district of the State of West Virginia. This letter, dated March 4, 1936, is from George I. Neal, United States attorney for the southern district of West Virginia.

May I quote from a letter of December 24 written by J. J. West, acting director of the fifth West Virginia district of the Works Progress Administration? Here is what he says:

All of this personnel except the equipment operators has been selected by this office with the advice and cooperation of friends of the Administration throughout the district.

Oh, no; no politics at all! That letter is from a district director. What did that district director do? Let me read to you. Here is a letter from Huntington received this morning. Mr. West used to be in the city council. This is what happened:

Because J. J. West was and is the W. P. A. Administrator, or rather director here and until 2 weeks ago was also a member and chairman of the finance committee of our city council. He has in his employ as such director wives, children, and other relatives of five of the members of the council.

There are 13 members of the city council of Huntington, and he has put the immediate families of 5 of those 13 members on the pay roll in order to control them.

I exhibit to the Senate, to show that he is not interested in politics, a copy of the record indicating his influence in the Huntington City Council meeting. All underscored portions indicate where J. J. West took part. He is a director of the W. P. A.

I have another letter from Charleston naming certain individuals. I will not name them, because it is not necessary, but it contains a list of five members of the Kanawha County committee, every one of whom was put on the W. P. A. list. No politics at all!

Let us go a little bit further. Here is a letter written on the 26th of November 1935 by the administrative assistant in my colleague's home city and home district.

MR. GEORGE OLDHAM,

Director, Sub-Office, W. P. A. District No. 2,

Wheeling, W. Va.

DEAR MR. OLDHAM: I hand you herewith a list of doctors in Ohio County.

Kindly separate the Democrats from the Republicans and list them in order of priority so that we may notify our safety foremen and compensation men as to who is eligible to participate in case of injury.

Yours very truly,

MOSE M. DARST,  
Administrative Assistant.

In other words, if a man would go to a Republican doctor he could die if he was injured. I will quote that again.

Kindly separate the Democrats from the Republicans and list them in order of priority so that we may notify our safety foremen and compensation men as to who is eligible to participate in case of injury.

Darst was carrying out his assignment from higher-ups.

Harry Hopkins may think a whole lot of people are dumb, using his favorite expression, I want to tell him that the people of West Virginia are not so "damn dumb" that they will not take care of him at the first opportunity.

Let us go a little further into the political set-up in the relief projects. I want to read another letter. Here is a letter that a man who is an applicant for a job in Parkersburg wrote on the 25th day of February to the sheriff of Calhoun County. I have here a photostatic copy of the letter. Here is what he says:

PARKERSBURG, W. VA., February 25, 1936.

Due to the fact that the professional and service division has been combined with women's division, it greatly handicaps my opportunity of being of service to my friends in the various sections of this district, and I have a proposition in mind that if successful in matriculation would enable me to assign people you need and ask for in your county.

In other words, relief workers. Get this:

I have a proposition in mind that if successful in matriculation would enable me to assign people you need and ask for in your county.

After he wrote this on the 25th of February, on the 29th of February he was called down to Charleston and had a conference with Mr. McCullough and was put on the pay roll on the 1st day of March 1936. This [indicating] shows that he was put on the pay roll at \$150 a month—\$1,800 a year—to look after historic and scenic markers and redistribution and reindexing.

Not only did they put him in the district but on March 10 there was an order from Frank A. Wyant, acting director, saying to take him off the project pay roll and put him on the administrative pay roll. Do you know how many people



are on that particular pay roll on which this man is? I understand 28 workers, and they put him on and took \$1,800 out of the fund to pay him.

Here is another letter I want to read at this time about that same man. Here is what he said:

DEAR—

I will not quote his name because there is no need of involving him at this time.

We are mighty glad you are back on the job and know we have a friend of the court in Parkersburg.

There is a letter that had been sent at that particular time. Let us go a little bit further. I ask to place in the RECORD the letter containing the actual order, of which I have a photostatic copy, where the Charleston division assigned five engineers—Mr. E. B. Snider to get \$200 a month, Mr. H. R. Wiley to get \$150 a month, Mr. A. J. Foy to get \$150 a month, Mr. J. B. Alderson to get \$150 a month, and Mr. H. S. Dilcher to get \$150 a month, and charge the same to the road project. Where there was only \$20,000 to spend they put on that project \$800 worth of engineering service a month, beside the engineers they already had. The timekeeper would not charge it, and on the 17th day of February, 1936, a letter was sent to him telling him not to put them on, that they would be put on in the office. I ask that the letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WORKS PROGRESS ADMINISTRATION,  
Charleston, W. Va., February 17, 1936.

Re: Project no. 65-41-3016.

Mr. J. W. FARRY,

W. P. A. Timekeeper, 1803 McClung Street, Charleston, W. Va.

DEAR SIR: We have been requested by Mr. S. Grover Smith, district director, to advise that it is not in accordance with instructions received in this office that you will not include on your time report time for the following persons:

Mr. E. B. Snider.

Mr. A. J. Foy.

Mr. H. R. Wiley.

Mr. J. B. Alderson.

Mr. H. S. Dilcher.

This time will be submitted to this office by Mr. Dorr Tucker, office manager.

Yours very truly,

HARRY S. TROTTER,

District Supervisor, Division of Finance and Statistics.

Let me read from an actual copy of a letter of March 5, 1936, after the investigation was started. Here is the actual letter:

The division of operations is firmly convinced that the problem as outlined above may be solved in a simple routine manner and in strict accordance with Federal regulations. We further believe that it will not be necessary to alter or destroy any official records as has been suggested in round-table discussion of the matter.

Get that:

I further believe that it will not be necessary to alter or destroy the official records as has been suggested in round-table discussion of that matter.

Here is the letter itself written on the 5th day of March, addressed to this particular person.

Here is the best one of all. I do not know whether Senators can see it or not. Here is a piece of hay-baling wire. I do not know whether any of you are farmers or not, but if you are I would not advise you to buy this kind of hay wire, because if you should use three strands of it around an acre of land it would cost you \$93,000. This hay-baling wire I refer to was purchased on an order signed for and agreed to. This wire, one-sixteenth of an inch by 12-inch lock wire, cost \$38.75, or \$77.50 for 24 inches of this lock wire. If anyone cares to inspect it, here is the purchase order which I now exhibit to the Senate. I am going to take this wire down to an alchemist and have it inspected to see if there is any platinum in it.

Of course, Mr. Hopkins would not say that there was anything wrong about paying \$93,000 for enough of this wire to put around an acre of ground. Oh, no!

Here are some more expenditures of money for engineering, as written to me by an engineer, and I am going to put

these in the RECORD. Of course, this is in the lily-white picture of the W. P. A. in the State of West Virginia. All right!

Here is project no. 56250, known as the Madison Avenue project. The money appropriated was \$42,222. The engineers report that all this money has been spent, but the project was closed down and only approximately 2½ percent of it was completed, including a piece of approximately 1 cubic yard of rock, which would amount to approximately \$482 per cubic yard.

Think of that, \$482 for a cubic yard of rock to be removed. That is in Cabell County, where the Administrator is from.

Here is another project, the project at Sixth and Eighth Avenues. One thousand nine hundred and fifty-five dollars per month was paid for engineers, which should not exceed in the extreme more than \$300. This project is closed down now because of lack of funds. How could we expect it to be otherwise when they are paying \$1,955 for supervision?

Here is the Fifth Street project, a sewer. On this project there have been 62 lineal feet of 21-inch sewer laid at a cost of \$7,300, costing approximately \$120 per lineal foot of sewer line. Oh, Mr. Hopkins is a wonderful Administrator.

Here is the Kanawha Avenue project, \$32,000, and the actual engineering cost of that, according to the engineers, was but \$2,500, or only one-fourteenth of the cost of that particular thing.

I also want to tell about Huntington. Senators know I went to West Virginia, and I will tell about that later, too, but I want to relate about this project. I found in one project where there was only \$90,000 to be expended there were 64 bosses. Think of that! Sixty-four bosses on a \$90,000 project—not relief workers but supervisors put on at the request of politicians down in my State.

May I give the supervisory costs on some more projects which I have brought along in that particular group? On a \$3,392 project I find the supervising cost is \$239.40 a month. On a \$50,000 project the supervisory cost is \$1,454.80 a month plus five other supervisors who get 50 cents an hour, and there is no way to figure out how much that amounts to.

On a \$34,000 project I find the supervisory cost was \$1,048.40 a month plus 11 other supervisors getting 50 cents an hour.

On a \$41,500 project I find four men, supervisors, timekeepers, and timekeepers for the timekeepers getting \$1,358.60 a month, and besides that there are 10 other people who received 50 cents an hour as foremen and subforemen. They ran out of names. They might well have had some straw bosses.

Let us look at some more projects listed here. I find a \$40,000 project where the monthly expense for foremen and supervisors alone was \$1,085 plus seven other timekeepers at 50 cents an hour. I admit they have to keep time on these people. They have been keeping time on them for a long period of time.

It is said the administrative costs were only 4 percent. Let us look and see if the costs were 4 percent. I find in a single county, in the last month, in this one district, that the supervisory cost alone was \$45,118, but the only expenditure they charged was—how much? How much do you suppose they charged for supervisory cost? I have the names of the supervisors who drew \$46,000. The way they do that is to have the supervisors appointed and put them in charge of projects, just like they did these five engineers. That expense is charged to the poor fellow that has to work, and if the funds run out the men are run out and the brass hats get all that is left.

They gave me a wonderful group of costs showing the non-relief workers were getting 7.2 percent. The best I can figure is that the supervisory costs, the cost of administration, the cost of material, the cost of equipment, and the other costs would exceed 55 cents on every dollar spent in West Virginia. Yet they say that is not cruel.

A few moments ago I gave a figure about the famous little houses they build out in the country in West Virginia. Here is the amount spent on them. They allocated \$624,344 on them and \$244,171 on feeding mouths in our State, and for taking care of crippled children they allocated \$21,495, as compared to the \$640,000 I mentioned a moment ago; then to distribute food to the needy—and that is what I thought

the relief act was for—we find that the total amount was only \$67,805 in the State of West Virginia.

Has Mr. Hopkins, or have any of his agents, denied the fact that all these men have had these increased salaries? In order that you may not forget them, may I repeat them again and put in the Record? because I want it made so plain that Harry Hopkins can understand it.

Here is the list of persons:

Mr. Ed Hart, of the board of control, formerly received \$2,400. Today he is on the W. P. A. pay roll at \$2,700.

I find that Mr. Ben Puckett was on the pay roll of the F. E. R. A. at \$3,600. Today he is on the pay roll of the W. P. A. at \$4,500.

Mr. Elmer St. George was drawing \$3,060. He drew \$3,600.

Mr. Cornwell, of the F. E. R. A., drew \$2,600, and today he is drawing \$3,000.

Mr. Walter King was employed by the F. E. R. A. at \$3,300. Today he is drawing \$3,500.

Mr. J. D. Alexander was drawing \$2,340. Today he is drawing \$4,500.

Of course, Harry Hopkins will tell you that the responsibility of this is on some "dumb politician." All right.

Mr. Amos Morton was drawing \$1,800. Today he is drawing \$3,000.

Mr. Morris McConihay was drawing \$1,440. Today he draws \$2,100.

June Moore was drawing \$1,320. Today he draws \$2,000.

Mr. Nebarith drew \$1,620. Now he draws \$3,300.

Mr. Homer Frame was drawing \$1,800. Today he is drawing \$2,400.

Mr. Jim Myer was getting \$2,100. Today he is getting \$2,400.

Mr. E. D. Johnson was getting \$1,560. Now he gets \$2,400.

I find that Mr. Melton Maloney was getting \$1,800, and on the W. P. A. he got \$3,000.

I find that Mr. Joe Blackburn was drawing \$2,400, and was put on the W. P. A. pay roll at \$3,200.

Mr. Dewey Phares was getting \$5 a day when he was working for the railroad, and he was put on the W. P. A. pay roll at \$3,400.

Mr. Mosby, a newspaper writer, you will remember, is the one who painted that beautiful lily. I think they must have had in mind that there were going to be lilies put over this investigation, because in the February issue the "Progressor" painted a beautiful lily. This man gets only \$3,300 a year for painting lilies on the "Progressor."

All right. I find that Mr. McPherran was on the pay roll at \$3,000, when he was formerly getting \$2,400.

Frank Carte was on the pay roll at \$2,400, and was formerly getting \$1,800.

I find that Mr. Kelly was on the pay roll at \$2,400. Before he drew \$1,716.

But what is the use of going ahead with this? There is plenty of it in West Virginia. There is plenty of it that Mr. Hopkins could see if he wanted to see it, but he does not want to see it. He wants to dodge. He wants to cover it up, because the responsibility lies at his door, and he ought to be required to take the responsibility.

Now, what about this tremendous supervisory cost? Let me show you what has to be gone through with before the final man gets relief.

They have a man here in charge of the W. P. A., and under him they have a State W. P. A., and under the State W. P. A. they have a district W. P. A., and under the district W. P. A. they have an area W. P. A., and under the area W. P. A. they have a county W. P. A., and under the county W. P. A. they have a project W. P. A. How on earth can we expect the man down at the bottom to get anything after they get through with that, I should like to know, after knowing the men that handle it?

In other words, in the State of West Virginia they have to keep the State office, they have to keep the district office, they have to keep the area office, they have to keep the county office, they have to keep the project officers, before poor old John Smith, down at the bottom, gets a penny; and if the funds give out he is the first man to lose out. They

have taken these people from private employment—not relief workers—and put them on the pay roll at tremendous increases in salary, in order that some politician may be pleased.

As you know, I went down to investigate the W. P. A. in West Virginia, and, as I said, this woman came to see me, and she was fired the next day.

I called up on Monday and asked Mr. Ben Puckett if he would give me the amount of rent they paid down in Charleston. I understood that they were paying a dollar a square foot for space for which the F. E. R. A. paid 89.65 cents, and I wanted to find out the facts and other information. He said, "It will take a little time to get it, and if you will wait until tomorrow morning I will have it, sure." "All right", I said; "I will wait, Mr. Puckett." So I sent over Tuesday morning, and the report was not ready. I sent over again Tuesday night, and what was the reply? The reply was this: "I cannot give it to you, because I have had orders not to give you any information."

No criticism of Mr. Puckett. He was ordered to do so by his superior. That was during the investigation. In other words, he had promised it, and in 1 day's time he was forced to reverse himself on that particular matter.

I had heard that the order had been issued to clamp down this censorship, so that I could not get particular records that I wanted, so I called up an assistant in the State engineer's office, a Mr. Bennett, who is a high-class man, and said to Mr. Bennett, "I should like to know the number of a certain project." I did not really want to know the number of the project. I did not care what the number of the project was. I just wanted to see if that order had been given; and here is his exact language, taken down in shorthand over the telephone:

An order has been given out that we are not to give out any information while the investigation is going on here. I called Mr. Smith and asked him if it would be all right, and he told me to have you put it in the form of a written request, and we would see what could be done about it. No criticism to Mr. Bennett. He followed the order of his superior.

In other words, if I wanted the information I could write out my request and then they would determine whether I could get it—just the number of projects down at Gauley Bridge. Oh, of course, there was no censorship down there.

Do you know how bad the condition has gotten in the State of West Virginia? I appointed to the Naval Academy a boy who works over here in the Senate Restaurant, a boy who might not have gone to the Academy. His father was demoted from the W. P. A. the next week, as a retribution. It is too bad that people have to suffer because of the fight that I have to make. Oh, of course, you will be told that he was demoted for some other reason; but it seems peculiar that the project was shut down and a new supervisor was put on immediately afterward.

There is constantly going around the fear that they cannot and will not hold their jobs, they are constantly changing projects.

You know, Mr. Hopkins in his famous letter—and it is a famous letter—says that I requested certain things about Mason County. All right; I want to show you just what I did request about Mason County.

He made it appear that I was interested in personnel down there. I want to read you part of a letter written on December 24 by the area engineer:

With reference to my recent telephone conversation with you in connection with the Mason County program, I did not at once take the matter up with you further, due to the fact your very prompt attention to the situation brought most gratifying results.

There was genuine cause for concern on the part of the people of this county that contacted you, Senator. By way of explanation, the project committees of New Haven, Mason City, and Point Pleasant, and their sponsors, had been approached at various times by representatives of the Huntington office who promised approval and allocation of funds to cover various projects, particularly the street-surfacing job in New Haven, street surfacing and storm sewers in Mason, and continuance of the old E. R. A. program in Point Pleasant, which would let several streets out of soft mud occasioned by unfinished graded base that made them impassable.

In addition, the town of Leon had been promised a project, or, failing this, a road job in that immediate vicinity that would absorb the relief case load there.



Now, it happens that both sponsors, in many cases, and private individuals had contributed funds toward preliminary engineering, preparation of maps, etc., on the assurance of those in Huntington that the projects would materialize.

Now, listen to this. Get this: These people wanted to get out of the mud.

As you will readily understand also, the political angle existed that would make it very embarrassing if they failed to materialize.

That is what I was criticizing. I said I did not care what ticket they voted for; I wanted to get the farmers out of the mud in West Virginia, and they made it appear that I was protesting because they would not employ anybody in Huntington. I did protest to West, I did protest to McCullough, and I protested to Harry Hopkins, but he sat there just as dumb as some of the people he speaks about being dumb.

All right. Another thing: The reporter took away part of my papers. While I am talking about that, I want to put in the RECORD a letter of September 10 from the Huntington Central Labor Union in protest to the administration of West in the W. P. A. in West Virginia.

The PRESIDING OFFICER (Mr. BILBO in the chair). Without objection, the letter will be printed in the RECORD.

The letter is as follows:

SEPTEMBER 10, 1935.

HON. F. WITCHER McCULLOUGH,  
Works Progress Administration for West Virginia,  
Charleston, W. Va.

DEAR SIR: At a regular meeting of the Huntington Central Labor Union held on August 26, and again at the next regular meeting, held on September 9, that body stated in most vigorous terms at the first meeting and reiterated even more strongly at the second meeting its deep, profound, and unalterable opposition to the appointment and his retention in the position of acting director of the fifth district, Works Progress Administration, of John J. West, and ordered conveyed to you (with copies to Senators NEELY and HOLT and to Representative JOHNSON) an insistent, vigorous protest against this man, and to ask for his removal from office forthwith and the appointment in his stead of some other of the many qualified men whose record is free from the consistently obnoxious opposition to the principles and ideals so highly cherished by this large group of your constituency that has always characterized the activities of this man, John J. West.

The central body desires to call to your attention also that John J. West, in his capacity as chairman of the Huntington City Council, true to his background, sympathies, and interests, has proposed, fostered, and apparently succeeded in passing measures of taxation that fall upon those least able to pay; at the same time he used his considerable influence against the plan of organized labor to place the proposed increase in taxes upon those most able to pay. His policy is to soak the poor and humble of small earning opportunity in favor of the interests of big business and the utilities.

Further, and especially, the Central Labor Union would have you know that during the past several years John J. West, while engaged in the general contracting business in this vicinity and in neighboring States, has ever and always refused to have any dealings with organized labor, but invariably hired only the rats, scabs, renegades, and potential strike-breakers in the field of labor as his employees.

Another thing, as an indication of the true popular estimate of his worth in civic affairs, it is pointed out that John J. West has frequently been a candidate for election to public office, but always repudiated at the polls. The only offices he has ever held have been by appointment; never elected by the votes of the people. Therefore, his removal from office in this instance would please not only your petitioners but a vast majority of the population of all rank and class who, knowing him, are thus in a position to best judge and pass upon his lack of worth.

Praying your thoughtful consideration of these representations and for a course of action favorable to the request herein laid before you, we are,

Yours sincerely,

HUNTINGTON CENTRAL LABOR UNION,  
Per CHAS. R. WOODS, President.

Mr. HOLT. Now, let me read again part of the letter of this Mr. Forsythe that they say is such a fine man, who would not sell his products.

In January I applied to the State administration for a position in the liquor set-up, but Pete Gibson and his crew were effective enough to keep me out; and in the meantime I got back into my business, and also got into the sale of some road material (Kentucky sandstone rock asphalt) which I am promoting as a seal coat for bituminous roads; and then I told the State administration that I was not an applicant for a position. However, my dear friend Witcher offered me a very fine position last week; and after careful consideration with Mr. Neale and Mr. — we decided that with their help and yours and Senator NEELY's that by letting me make a decent living in business that I could do the party considerably more good than by taking a job. He has appointed John J. West to the position offered me, and his appointment is very satisfactory.

That is what he said; and he got a job at \$3,600 a year and also maintained the continuation of his place of sale of his products, according to the picture shown at that time.

All right.

I was going to put into the RECORD Mr. McCullough's statement about the Parkersburg district, which he says was so terrible that it required the dismissal of my brother, whom Mr. McCullough had put on the pay roll himself, an appointment with which I had nothing to do. He says that was done in order to correct the district. I wanted to show the Senate exactly what was said about that district in February, but, at the moment, the paper to which I had desired to refer, has been misplaced but will be produced next week.

Mr. President, Mr. Harry Hopkins did not want to know the facts; he never expected to get the facts. He wanted to whitewash Mr. McCullough. He said the charges about Mr. McCullough in connection with the Huntington State Hospital were not true.

To whom did he go? He did not go to the Governor of the State, or to the ex-Governor of the State when Mr. McCullough was in. He did not go to any member of that board of control. Where did he get his information?

I challenge Mr. Hopkins to produce the records of the Huntington State Hospital in August 1931, which show that Mr. McCullough, the present State administrator of the W. P. A. in the State of West Virginia, told Mr. Haddox, a bookkeeper of the board of control, that unless he wrote off an overdraft of \$672, or about that amount, he would see that he was fired. Who was in charge of the Huntington State Hospital? Mr. McCullough's father-in-law, Dr. Guthrie, was in charge. He came out \$672 short; I think that was the amount. He did not get that affidavit.

There is another thing I should like to have Mr. Hopkins investigate. I should like to have him investigate Mr. McCullough's activity with a Mr. Ben Jesselson, of Ashland, Ky., who had Mr. McCullough as a lawyer in a pardon case, when Mr. McCullough was on the board of control. It is said he represented this fellow in the pardon case, but the pardon was not granted. And this is the fellow running the W. P. A. in West Virginia.

Hopkins says the 42-percent loan-shark bill is all right. Mr. McCullough admitted he helped put it through. Mr. McCullough himself was so ashamed that when I charged him with it, and showed the picture of his window, he had it taken off; he wiped it off. But Mr. Hopkins says it is all right. Mr. Hopkins accepts what Mr. McCullough is ashamed of, the 42-percent loan law, which operates against the poor people of the country who have to borrow less than \$300.

I again repeat the charges I made, and I challenge Mr. Hopkins, I challenge any of them in the State of West Virginia, to meet me at any time and admit these charges or deny them.

First, that the people in the State of West Virginia had to get the O. K. of a political boss before they could get on relief.

I charge that increasing the salaries of many, he increased them far beyond reason.

I charge that he shut down projects for political punishment.

I charge that people were dismissed and intimidated and driven to the point where they would not talk for fear of losing their jobs.

I desire to say to the Senate that the State of West Virginia is ashamed of the continuation of such practices as those which have characterized the administration of the W. P. A., such reckless expenditure of money as the State has never seen.

"Boondoggling" as known in my State must come from the old term of the feudal law, "boon." Under the old feudal law the serfs had to give their lord so much money. That was called a "boon." So it is in the State of West Virginia; we have the brass hats who collect the money and who distribute it.

What did McCullough do? Let me tell more about John-son's investigation. He went into West Virginia and said,



"Did Mr. McCullough ever ask you whether you would support him if he were a candidate for Governor?"

Was not that a wonderful procedure? "Did Mr. McCullough tell you he wanted you to support him for Governor?" Of course, they would not tell him. He brought them into McCullough's own office and asked some of them that question. They knew they would lose their jobs if they said anything.

The only way to get down to the facts in this thing is to subpoena individuals and to bring in records, so that we can get the actual truth. If the things with which Hopkins has charged me are true, why should he not want a senatorial investigation?

If they cannot be proven, I certainly would be put in a bad light, but if they can be proven, they ought to be cleaned up, and those who are responsible for them should be driven from office.

Johnstone spent 8 days in West Virginia. I know how Mr. McCullough takes care of the investigators. I lived at the Daniel Boone Hotel long enough to know about that. Whenever the investigators came in to investigate Mr. McCullough's activities—the old expression will be recalled, "wine, woman, and song." Of course, I do not know about what happened at that particular time; the investigators can themselves disclose what happened.

They spent 8 hours investigating the Parkersburg office. I had those men trailed. They thought they were fooling me, but I had a man on their trail, watching where they were going. So we find that they spent 8 hours in Parkersburg, and 5 of the 8 hours were spent in Mr. Forsythe's hotel room and office. They went and looked at the files and said, "This fellow is recommended by John Jones. This fellow is recommended by Bill Smith." They did not know whether Bill Smith or John Jones were in politics or not. They never went to the people I charged with naming these directors in the State of West Virginia. In other words, their investigation was a sham; it was a fraud; it was a whitewash. But no matter how much whitewash is used, there is not enough whitewash in the world to cover up this thing in the eyes of the people of West Virginia, who know what is going on there.

Mr. Hopkins can be reckless with his money, Mr. Hopkins can be reckless with his words, but he cannot cover up the worst maladministration—I use the word seriously—ever known in the history of America. He cannot cover up those things.

Of course, "Cocky Harry" is going to sit back and say we are "too damned dumb" to understand how he is spending the money. I admit that we would be smart if we did know how he was spending it, but I do not know that much of the money spent in West Virginia that should go to the men with picks and shovels is going to the men at the top. Two hundred and twenty-five thousand dollars, or approximately that amount, is spent in running the State office. Approximately \$125,000 to \$150,000 is spent in running each of the district offices. Then there are the area officers, and the supervisors to be taken care of. There is little left for the people who work.

Of course they can whitewash it, of course they can cover it up, but they will never cover it up completely, because I state now that I am going to West Virginia again this week, and I shall come back to the Senate with more disclosures to make of the W. P. A. activities in that State. I shall come back and tell about certain things which I know to be true, but I want to get the actual documents in order to charge just exactly the details of the worst administration of funds that has ever been known, and to show that everyone knew that it was guaranteed in advance that the report would be satisfactory. That was guaranteed in advance.

When I talked to Mr. Johnson, one would have thought from his attitude that I had done something. He tried to put me through the third degree.

He said, "You did likewise, did you not?"

I said, "If I did, that does not excuse the others." I said, "Whatever I had to do with the W. P. A., I am ashamed of; what little I had to do with it I am not at all proud of, and I will regret it as long as I live."

He said, "Did you not ask for the appointment of Mr. McCullough?"

I said, "I did go along on his appointment, that is true, because there were but two candidates, one from the old rotten Relief Administration, and Mr. McCullough himself."

I did not think anything could be rottener than the F. E. R. A. in West Virginia, but I have learned something. I am just a youngster, but I learn something every day. I have learned that there is something worse than the F. E. R. A., and that is W. P. A.—"Witcher's Political Army", or now known as "Whitewashing Political Activity"—as it is administered in West Virginia.

I did go along with it, but I will offer a prayer for forgiveness for what is done in the State of West Virginia. If I am responsible for Mr. McCullough's acceptance, if I am responsible for him being in charge and direction of the W. P. A. activities in West Virginia, it is something that I regret, and something for which I will make public confession, and I hope that I will never do any such thing again.

Not only that but I think the Senate ought to know this is not a political battle, as is shown by what I requested Mr. Hopkins to do a long time ago. "Appoint a man who is not in West Virginia. Appoint a man who is not connected with Senator NEELY. Appoint a man who is not connected with Governor Kump. Appoint a man who is not connected with Witcher McCullough. Appoint a man who is not connected with RUSH HOLT. Appoint a man who is not connected with any political activity in the State of West Virginia, make him administrator of W. P. A. funds, and let him administer the W. P. A. funds."

He would not do it, because poor Harry was so busy telling the people of the country, through his press conferences and his written letters, about how much he had given to the people in expenditures of money.

I am not criticizing the expenditure of money. I am criticizing the distribution of the money. I want more of it to go to the relief workers and less of it to go to the "brass hats" who are sitting down there drawing \$150, \$200, \$300, and \$500 a month. That is what I want. I want the relief act administered for the people for whom the relief act was intended to be employed. I want to say again that, although some Senators may not like it, I am going to come back here the first of the week and tell some more concerning the W. P. A. as it affects the Fairmont district, and I am going to keep on telling it until the people know that Harry Hopkins should go down on record as the greatest teller of untruths, the greatest spender of money that this Nation has ever known; and I hope those who hear it will defend him if it is not so.

#### EMPLOYMENT OF PERSONNEL OF AGRICULTURAL ADJUSTMENT ADMINISTRATION

Mr. SMITH. Mr. President, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 223, relating to the employment of the personnel of the Agricultural Adjustment Administration in carrying out certain governmental activities.

The joint resolution has been reported favorably by the Committee on Agriculture and Forestry, and has to do with establishing the personnel for carrying out the work provided for in what now is known as the new farm act. The joint resolution clarifies the situation as to the appointees. I do not think it will create any discussion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina that the Senate proceed to the consideration of Senate Joint Resolution 223?

Mr. McNARY. Mr. President, I am not familiar with the joint resolution. I think the Senator should make some explanation of it. It may be necessary for it to go over to another day.

Mr. SMITH. The joint resolution is very short, and I think most of the Senators who are not members of the committee are apprised of the nature of it.

The joint resolution is confusing in its terms. It provides for soil-erosion prevention and soil conservation, and also has in it a provision that sections 7 to 14 of the act shall



be administered as the old A. A. A. was administered. There is some confusion as to what personnel they are going to use, and those who are in a position to know have asked that this joint resolution be enacted in order to clarify the situation.

I may say that the joint resolution has already passed the House, and it merely prescribes who shall carry out sections 7 to 14 of the act; namely, just as many as are necessary of those who are now on that roll and are thoroughly familiar with the work.

**THE PRESIDING OFFICER.** Does the explanation of the Senator from South Carolina satisfy the Senator from Oregon?

**Mr. McNARY.** I prefer to read the joint resolution and have it go over for the present.

**Mr. SMITH.** Mr. President, I should like to state to my colleague and friend from Oregon that there is a possibility of the Senate recessing until Monday, and time is the very essence of this matter. I wish the Senator had been present when the committee passed favorably on the joint resolution. It can be very readily understood that in administering sections 7 to 14 of the act it is essential that the old personnel, so far as it may be used, shall be kept, rather than to have the personnel come from some other source.

**THE PRESIDING OFFICER.** Is the Senator from Oregon satisfied with that explanation?

**Mr. McNARY.** Mr. President, I stated, as I thought with some emphasis, that I did not wish to have the Senate consider the joint resolution at this time, that I desired to look into it. I am not aware that we are going to adjourn or recess until Monday. I will look into the joint resolution later. I have not had time to read it. I notice there is some change in the language. I do not know of any emergency situation requiring its immediate consideration.

**Mr. SMITH.** Mr. President, the organization of this force is progressing rapidly every day. I would have spoken to the Senator about the matter heretofore, but I was under the impression that he was in the committee when we discussed the subject fully, and the joint resolution was ordered to be favorably reported. The organization work is going on every day, and the officials are very anxious to have the question of the personnel clarified.

**THE PRESIDING OFFICER.** The Senator from Oregon objects to the present consideration of the joint resolution.

#### CHANGE OF REFERENCE

**Mr. POPE.** Mr. President, on March 10 I introduced Senate Joint Resolution 227, to authorize the completion of work contemplated by Executive Order No. 7075, which was referred to the Committee on Commerce. I intended to ask that it be referred to the Committee on Interstate Commerce.

I have talked with the chairman of the Committee on Commerce, and understand that he has no objection to the change of reference being made. Therefore I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of Senate Joint Resolution 227, and that it be referred to the Committee on Interstate Commerce.

**THE PRESIDING OFFICER.** Without objection, the Committee on Commerce will be discharged from the further consideration of Senate Joint Resolution 227, and it will be referred to the Committee on Interstate Commerce.

#### PROPOSED INVESTIGATION OF UNEMPLOYMENT AND RELIEF SITUATION

**Mr. HATCH.** Mr. President, the remarks I am about to make have not been occasioned in any sense by the address just concluded by the Senator from West Virginia [Mr. Holt].

During the past several days a great many statements have been made on the floor of the Senate concerning the Works Progress Administration. Criticism has been leveled at the administration of the emergency-relief fund. Many things have been said and various charges have been made. The leader on this side, the distinguished Senator from Arkansas [Mr. Robinson], and the able senior Senator from

Tennessee [Mr. McKellar] have clearly and forcefully pointed out errors contained in some of the criticism, and each of these Senators clearly demonstrated the worth and benefit arising out of W. P. A. projects. The Senator from Arizona [Mr. Hayden], in a very comprehensive review of public-works projects, gave the Senate and the country much information and enlightenment concerning the vast and splendid program being carried on by the Public Works Administration.

It is not my intention to enter into the discussion of these matters at this time. I merely desire to call the attention of the Senate to two measures now pending before it which relate somewhat to general propositions in connection with relief—measures which I hope will be constructive and helpful.

The first measure to which I call attention is Senate bill 2711, introduced by the Senator from Virginia [Mr. Byrd] and myself at the last session of the Congress. I call attention to it now simply to show that some of us anticipated that perhaps there would be those who would seek to use for political advantage and gain the vast fund appropriated by Congress for emergency-relief purposes. The bill was designed to prevent the use of these funds for political purposes. It is not a perfect bill. It does not cover all the possible conditions which might arise, but it does aim at an evil which might arise.

Senators, and, for that matter, all others who have had any connection with public life, public affairs, and especially with practical politics, know full well the dangers which attend the spending of vast sums of money for public purposes. They know that unless checked and restrained, men will seek to use the expenditure of public funds to obtain political gain and advantage. This statement is made without regard to what political party, group, or faction is in control. In looking back over the history of the country, may I not say with pardonable pride that the Democratic Party has been freer from this sort of thing than any party.

While, as I said, it was not and is not my intention to discuss these matters today, I would digress long enough to pay this tribute to the President, the Secretary of the Interior, Mr. Hopkins, and Aubrey Williams. For whatever criticism may be heaped upon them today or in the days to come, or if there has been misuse of funds or wrongdoing any place, it has been without their consent and against their wishes and desires. In fact, the President, Mr. Hopkins, and others connected with relief have tried valiantly to keep the administration clean from the sort of thing which has been charged here on the floor of the Senate and elsewhere.

Recognizing, however, the frailties of human nature, and desiring to safeguard and protect the officials charged with the administration of the fund and to prevent some of the very things which have been criticized and condemned here, the Senator from Virginia [Mr. Byrd] and I introduced the bill to which I refer and which I shall now ask the clerk to read.

**THE PRESIDING OFFICER.** Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

A bill (S. 2711) to amend the Emergency Relief Appropriation Act of 1935

*Be it enacted, etc.,* That the Emergency Relief Appropriation Act of 1935 is amended by adding at the end thereof a new section to read as follows:

"Sec. 17. No person, firm, or corporation entering into any contract with the United States or any department or agency thereof, or performing any work or services for the United States or any department or agency thereof, or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such work, services, material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by this act, shall, during the period of negotiation for, or performance or furnishing of, such contract, work, services, material, supplies, equipment, land, or buildings, directly or indirectly, make any contribution of money or any other thing of value, or promise expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; nor shall any person knowingly solicit any such con-



tribution from any such person, firm, or corporation for any such purpose during any such period. Any person who violates the provisions of this section shall, upon conviction thereof, be fined not more than \$5,000 or imprisoned not more than 5 years."

Mr. HATCH. Mr. President, I call attention to this bill now because it was introduced in the last session and because so far no action has been had on it. I believe the time is opportune for the committee having consideration of this bill to report it to the Senate and for it to be passed. Surely no person can object to the passage of a measure designed to aid and assist the officials administering the emergency-relief fund without prostituting it.

It may be said the general laws are sufficient and there is no necessity for this legislation. Before the bill was introduced, I made some investigation of that question. It is doubtful whether the general laws are sufficient. They may be. Nevertheless, it seemed to me that it would be well to attach this positive declaration as an amendment to the relief act itself, as a declaration and as a warning to all who might be concerned. I believe its effect would be good even at this day. I strenuously urge its earnest consideration and now ask that the committee report the bill and that it be passed by the Congress.

The other matter to which I referred in the beginning is a resolution which I recently introduced. It deals with the relief program and seeks an investigation. But it is an investigation of a different kind and nature than has been proposed on the floor of the Senate by other measures and resolutions which have been introduced. By this I do not mean that there should not be any investigation of corruption and wrongdoing, if such there be. Congress is charged with the duty of safeguarding its measures, and I say nothing against those who seek to go into the question of how public-works funds have been expended. That, however, is a different matter. My thought is along a different line and for a different purpose. Whether the relief funds have been expended wisely or not would not change my plan or purpose except insofar as the expenditure of those funds may furnish light as to the proper method and course to pursue in the future.

In his recent remarks the Senator from Arkansas [Mr. ROBINSON] said:

The question of unemployment and relief is a most perplexing one.

Statesmen, writers, economists, and thinkers generally agree that the problem of unemployment is most serious. It has even been said that our form of government may hang in the balance. In an able editorial appearing in the Washington Star a few days ago it was said:

Every other problem facing the country today sinks into insignificance compared with this problem of public relief.

Organized labor and industry alike agree the problem is of most serious import. Many plans have been suggested and some have been submitted to the Congress. All over the country earnest men and women are mightily concerned with this subject. The different departments of government have made their investigations and assembled much data. Other organizations throughout the country have given much time, thought, and study to how the problem can best be met. There are those who propose a continuation of the public-works program. Others insist that it should be discontinued. Direct charity or dole is urged by many as the only solution, and others as vigorously oppose that plan. There are those who claim that private industry can absorb the unemployment and that further expenditure of public funds is but waste and extravagance which will result only in national bankruptcy and ruin. Many other thoughts and theories are constantly being urged.

During the emergency period the administration has met the issue as fairly and squarely as it was possible to meet it. It carried on an emergency program of far-reaching effect and out of which much good has come and much good has been accomplished. Permanent wealth and value have been added to the resources of the Nation. Men have been employed. Many outstanding benefits have accrued and great

good has been accomplished. Yet, notwithstanding these efforts, we still have with us the problem of unemployment.

Not as a solution of the problem, but because I believe Congress should not rely on other agencies, that it should not rely on departments of the Government, nor even should it rely on the Executive for its program, I have introduced the resolution referred to, the first paragraph of which is as follows:

*Resolved*, That a special committee consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to study, survey, and investigate the unemployment and relief situation, obtaining all facts possible in relation thereto which would not only be of public interest but which would aid the Senate in enacting remedial legislation. The committee shall report to the Senate, with recommendations for legislation.

By this resolution it is sought to have a committee from the Senate enter upon its own investigation of all the facts involved in this stupendous question, hoping that remedial legislation may result. I insist—to me it seems clear—that Congress is charged with the responsibility of formulating its own plans, of sponsoring its own legislation—in short, of meeting the problem fairly and squarely in an honest endeavor and attempt to find such solutions as may exist. I insist that Congress should not rely upon others, but it should perform its own duty and its own work.

Of course, we know unemployment exists, and we know somewhat of the number of unemployed. We know of efforts which have been made to relieve the situation; but there is much information which can be assembled and made available by such a committee. Surely those who have been charged with the administration of the relief funds can give us much light and much information. When it is realized that the proposed committee seeks only to assemble facts and learn the truth, I know it can and will receive cooperation from many sources.

Labor will gladly lend its support, aid, and assistance; industry will present its case, its theory, and its plans; all people concerned with the problem will be glad to work in a constructive manner, seeking to find some permanent plan which may be put into effect by Congress.

The work of the committee will not be spectacular. There will be no headlines. It will be a laborer's task. Long hours and diligent study will be involved. The best qualified men in the Senate should be assigned to the task. They should be willing to give of their time—and I hope they would be so interested that they would be willing to lay aside their other duties and devote the principal part of their time—to such a study and such an investigation. There are many Senators able to undertake the work. I have in mind one in particular whom I should like to see designated as chairman of such a committee. I shall be bold enough to suggest his name if the resolution is adopted. Needless to say, I am not thinking of myself.

I am very much in earnest when I say I hope the Senate will undertake this work, authorize a committee, and provide it with sufficient funds. There is reason to believe that something good may result from it.

I know there are those who think such studies have been made in the past and perhaps nothing new can be developed. That may be true. However, we have learned much since 1929, and there is much information now which has not been available in the past. Especially the type of the committee I have in mind will not be concerned with approaching the matter from any partisan standpoint, nor in any spirit of controversy. There will be no measure to be advocated and none to be opposed. A calm, dispassionate study by men qualified and able is what is desired by the resolution. Is it too much to ask that the Senate undertake such a study? Is it too much to ask that, after assembling all the information possible and going into the question from every possible angle, the Congress should initiate its own plan and suggest its own program?

Perhaps the thought has no merit. Perhaps such a study is unimportant. Perhaps the Senate has many things of more importance. I say to you, however, it is my thought that the question of unemployment and relief is the most



important question before the country. I lay it down as a hard-and-fast proposition that this problem must be met. It must be met intelligently. It must be met wisely. It must be dealt with honestly. To my mind, Mr. President, it is not too early for the Congress to begin its own investigation and its own study.

#### GOVERNMENT CONTRACTS AND EMPLOYMENT CONDITIONS

Mr. WALSH. Mr. President, I have had some correspondence recently with the War Department for the purpose of obtaining information that might be useful in a study of the subject of awarding Government contracts for supplies to the lowest bidders. I inquired to what extent this provision of the general law resulted in giving contracts to firms that have maintained low standards of wages and long hours of employment.

I have an illuminating reply from the War Department. Accompanying the letter were two charts. One chart contains an analysis of a representative number of contracts showing certain factors for the period from the date of the Supreme Court decision on the N. R. A. until June 1935. The two factors discussed are the percentage of hours worked per week and the percentage of wages paid.

These charts show that between the date of the Supreme Court decision on the N. R. A. and July 1, 1935, a total of 168 contracts were made by the War Department. There was no change in the hours worked under the N. R. A. in 70 percent of the contracts, and no change in wages in 73 percent of the contracts. There was an increase in hours worked in 26 percent of the contracts, and there was a reduction in wages in 17 percent of the concerns granted contracts. As to 10 percent of the contracts, no information was available as to wage reductions. The wage reduction after the N. R. A. decision was 25 percent in woolen-garment contracts, 25 percent in work garments, but only 30 percent showed no reduction, while no report was had on 45 percent of these contracts. The wage reduction was 30 percent in cotton garments, and 14 percent of the concerns made no report. It is to be noted that these products are among those where it is alleged "sweat shops" prevail. In the woolen textiles, the cotton textiles, and knitted garments there was no change in hours of employment or wages. After July there was very slight increase in hours worked.

To the credit of the War Department it must be stated that every means possible has been used by it to make awards of contracts for supplies to the Army to producers who maintain high ethical standards as to labor and wages. The War Department states, however, that under the present law—namely, that requiring the awarding of supply contracts to the lowest bidders—it is not possible to avoid contracts going to concerns that maintain low standards.

From time to time the War Department has requested from the Judge Advocate General his opinion in reference to certain clauses that the Department desired to have inserted in its contracts that would require a reasonably high standard of working hours and of wages. Recently, in order to keep the hours of work under the Department's contracts within a reasonable limit, the quartermaster general requested authority to incorporate in his contracts the following:

In future invitation for bids for the purchase of supplies to be manufactured, where Government inspectors are to be present at the contractor's factory during the process of manufacture \* \* \* and that inspectors would be assigned to the contractor's factory only during the regular 8-hour workday schedule or shift generally recognized by the trade.

It is to be noted that, while this proviso in the Government contracts was to limit the hours of inspection, it was really designed to regulate hours of labor in Government supply contracts. The Judge Advocate General of the Army, in reply to the request, called attention to an opinion of the Attorney General, dated September 28, 1935, wherein he ruled that a department of the Government would have no legal authority to add a provision regarding the rates of wages and hours of labor in the absence of congressional authority, because of section 3709—

Requiring contracts for supplies or services on behalf of the Government, except for personal services, to be made with the lowest responsible bidder, after due advertisement.

In another effort to maintain certain standards the Secretary of the Treasury requested a ruling from the Attorney General on the propriety of including in Government contracts a provision excluding aliens from employment thereon. The Judge Advocate General ruled, among other things, that the clear purpose of section 3709 is to—

Secure full and free competition in supplying the needs of the United States, and the benefit to the Treasury of required acceptance of the low responsible bidder.

He further ruled that:

It removes from competitive bidding on the project an important element of cost and tends to defeat the purpose of the statute.

It was further ruled that:

In my judgment it cannot be said as a matter of law that the insertion in Government contracts of a provision limiting the contractor's field of selection of employees to American citizens would not result in increased cost to the Government. \* \* \* Therefore, I find myself unable to recommend the insertion.

The conclusion reached from the informative letter from the Judge Advocate General is that in the absence of legislation there is no way in which Government departments, in asking for bids and making contracts for Government supplies, can distinguish between bids of producers, some of whom are paying lower rates of wages and operating longer hours than is usually recognized by the trade producing the supplies which the Government desires to purchase.

Mr. President, I ask that the letter of the Secretary of War be inserted in the CONGRESSIONAL RECORD and referred to the Committee on Education and Labor, which committee has legislation pending before it dealing with this subject and which seeks to prevent Government contracts being denied those who are not the lowest bidders merely because they do not maintain sweatshop conditions.

Mr. NORRIS. Mr. President, may I ask the Senator from Massachusetts a question?

Mr. WALSH. Certainly.

Mr. NORRIS. Does this investigation show that in addition to the increase of hours there have been instances of reduction in pay?

Mr. WALSH. Yes.

Mr. NORRIS. I should like to have the Senator give us that information.

Mr. WALSH. I will repeat it to the Senator:

The number of contracts was 168; and, mind you, these contracts were made between May 27 and July 1. In 70 percent of the 168 contracts there was no change. But in 26 percent of the cases in that period of 5 weeks there was an increase in the amount of time the employees had to work, and there was a decrease of 23 percent in the wages. In that short period of 5 weeks the decreases were most noticeable in what I choose to call the industries which embraced those that are known as sweatshops.

Mr. NORRIS. Mr. President, as I understand it, then, this study shows that following the N. R. A. decision by the Supreme Court there resulted longer hours and less pay for labor.

Mr. WALSH. Immediately and instantly in some industries. The study I have mentioned was made by a department of Government to which great credit is due for scrupulously trying to insist on incorporating in its contracts provisions for higher standards of wages and hours and better working conditions.

Mr. NORRIS. But the figures the Senator gives do not purport to cover the entire field; they are just an illustration?

Mr. WALSH. I am glad the Senator made that inquiry, because I expect to get similar information from all departments of the Government. I will also say to the Senator that an extensive study has been made by special agencies of the Government, the results of which I hope later to have available for the Senate.



Mr. NORRIS. Is the Senator's committee contemplating making a study also of what happened in private industry?

Mr. WALSH. Yes. Already much information in that regard is available, and I expect that more will be obtained later.

Mr. NORRIS. Does it point in the same direction?

Mr. WALSH. Absolutely, and I hope to present the results of that investigation to the Senate in due time.

Mr. NORRIS. So the result is, speaking purely in a financial way, that the N. R. A. decision has resulted in lower wages and longer hours?

Mr. WALSH. Yes; to a noticeable degree. I will say to the Senator, for his information, that in one case called to my attention, namely, in the case of a contract for Government overalls, the concern which got the contract obliged its employees to turn back all the extra money they had been paid under the N. R. A. However, it is only fair to say that many industries have not changed and still maintain standards set up under N. R. A.

Mr. President, I ask that the letter to which I have alluded be incorporated in the RECORD, and referred to the Committee on Education and Labor.

There being no objection, the letter was ordered to be referred to the Committee on Education and Labor, and to be printed in the RECORD, as follows:

WAR DEPARTMENT,  
Washington, March 5, 1936.

HON. DAVID I. WALSH,  
United States Senate.

DEAR SENATOR WALSH: Further reference is made to your letter of February 8, 1936, in which you requested information that might be useful in your study of the subject of awards of contracts to low bidders resulting in business going to firms that have not maintained high standards of wages.

There are enclosed charts giving an analysis of a number of contracts from the period of the Supreme Court decision on N. R. A. to June 1935, and from July 1935 to date. These charts will give you a picture of the condition as it exists at the present time in connection with this subject.

The War Department is using every means possible within the law to make awards of our contracts to legitimate firms who maintain high ethical standards in carrying on their activities. As the laws at present exist, it is not always possible to accomplish the result at which we aim. A recent suggestion to so word our invitations for bids for shoes was made to The Assistant Secretary of War, and by him referred to the Judge Advocate General, for an opinion as to its legality. There is enclosed for your information a copy of the memorandum from the Judge Advocate General on this subject, which may be of interest to you in your study of the general subject.

Sincerely yours,

GEO. H. DERN,  
Secretary of War.

Contracts and reservations, JAG 163

FEBRUARY 10, 1936.

Memorandum for The Assistant Secretary of War.

Subject: Desire of the Quartermaster General to insert in invitations for bids for the purchase of articles to be manufactured a provision for an 8-hour workday schedule.

1. By reference slip dated January 18, 1936, Office of The Assistant Secretary of War, there was referred to this office for remark and recommendation a recommendation from the Quartermaster General that there be incorporated "in future invitations for bids for the purchase of supplies to be manufactured, where Government inspectors are to be present at the contractor's factory during the process of manufacture", the following provision:

"Inspection: No work during the process of manufacture of the articles called for herein will be done except when Government inspectors are present in the factory where the article is to be manufactured. Except during a national emergency, inspectors will be assigned to the contractor's factory only during the regular 8-hour workday schedule or shift generally recognized by the trade, and with only 4 hours on Saturday. In stating time of deliveries, the bidder must not offer to deliver quantities in excess of the amount that can be manufactured during such a period. The bidder must also make due allowance for probable difficulties which may be encountered, including deliveries running concurrently on any other contract with the Government."

The Quartermaster General gave the following reason for his recommendation:

"1. It is the understanding of this office that as a result of the recent invitation for bids calling for 500,000 pairs of shoes that one bidder obtained the contract for the entire quantity and that his promised deliveries made it necessary for him to operate his plant 24 hours a day. In addition, the price bid was so low as to result in his finding it necessary to reduce the pay of his employees working on this contract. Such a condition would appear to be undesirable and might well result in other bidders becoming disgusted with their attempts to obtain Army business to the extent that

they will cease to submit bids on our requirements. This would leave our sources of supply limited and in case of a national emergency we would not have a field sufficiently familiar with the making of Army shoes to meet our requirements."

2. While the proposed provision is labeled "Inspection", it is obvious from its context and from the statement of the Quartermaster General that it was designed to regulate hours of labor on Government supply contracts.

3. On a recent reference to this office a somewhat similar question was considered (JAG 163, Sept. 28, 1935). There the opinion was expressed that in addition to the limitation upon the War Department in the matter of modifying standard Government forms of contracts, it would have no legal authority to add a provision regarding the rates of wages and hours of labor in the absence of congressional authority therefor, adding:

"In an opinion of the Attorney General (19 Ops. Atty. Gen. 685) relative to the authority for prescribing hours of labor for the employees of Government contractors, the view was expressed:

"\* \* \* section 3709, etc., require contracts for supplies or services on behalf of the Government, except for prisoners' services, to be made with the lowest responsible bidder, after due advertisement. These statutes make no provision for the length of the day's work by the employees of such contractors, and a public officer who should let a contract for a larger sum than would be otherwise necessary by reason of a condition that a contractor's employees should only work 8 hours a day would directly violate the law."

"This opinion was rendered on November 12, 1890, prior to the passage of the 8-hour law cited above. The principle still applies to all cases where no express exception has been made by later legislation."

The "8-hour law" (27 Stat. 340, as amended; U. S. C., 40:321, 322) referred to in the opinion above quoted restricts the service or employment of all laborers and mechanics upon a public work of the United States to 8 hours in 1 calendar day and provides a penalty for officers of the Government and contractors who intentionally violate the act.

The Comptroller General, upon considering, at the request of the Secretary of the Treasury, the propriety of including in Government construction contracts a provision excluding aliens from employment thereon stated, among other things:

"From what has been pointed out, it necessarily follows that only in a clear case of necessity in the public interest could the accounting officers properly withhold objection to the uses of public moneys that would be involved by a contractual requirement for employment by contractor on the public work involved, American citizens and aliens who have obtained first papers of citizenship over other aliens lawfully here, without legislative authority therefor.

"\* \* \* In so contracting the basic statute to be observed in section 3709, Revised Statutes. The clear purpose of this statute is to secure full and free competition in supplying the needs of the United States (which needs are required to be clearly stated in the request for bids), and the benefit to the Treasury of required acceptance of the low responsible bidder.

"However desirable the contrary may be, it seems clear that in the present state of law the proposal to fix by contract the minimum rate of wages the contractor must pay his employees in the doing of the contract work, assuming a contract otherwise valid and enforceable could be drawn, clashes with the long-recognized intent and purpose of section 3709, Revised Statutes, in that it removes from competitive bidding on the project an important element of cost and tends to defeat the purpose of the statute; that is, to obtain a need of the United States, authorized by law to be acquired, at a cost no greater than the amount of the bid of the low responsible bidder, after full and free competitive bidding.

"What is here involved appears a matter which, in the present state of the law, is not for adjustment through administrative action in contracting, and uses of appropriated moneys in such connection without further expression and authority thereon from the Congress may not properly be approved by the accounting officers.

"\* \* \* Only in such rare case, if one there might be under existing conditions, where the need for such stipulation could on the facts be held as required to accomplish the thing authorized by the appropriation to be done, could objection be properly withheld" (10 Comp. Gen. 294).

In addition to Revised Statutes 3709, referred to in the opinions of the Attorney General and the Comptroller General above quoted, there is also for consideration the act of March 2, 1901 (31 Stat. 905, U. S. C. 10, 1201), which requires, except in cases of emergency, that the purchase of all supplies for the Army be made after due advertisement "where the same can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered."

Considering the limitations imposed by such statutes upon the inclusions in invitations of provisions tending to limit awards thereon to other than the lowest responsible bidder, the Judge Advocate General says:

"4. Though I am not in accord with the theory, which seems to have been accepted in the earlier opinions of this office, that a contractual restriction like the one here under consideration would be unlawful merely because no statute authorizes it, neither



am I in entire accord with the theory that such a provision would be legal solely because there is no statute prohibiting it. Neither the President nor the Secretary of War is limited in the exercise of Executive functions to those acts for which specific authorization may be found in statutes. The President may cause to be embodied in War Department contracts any provisions advantageous to the United States in its contractual capacity which are not in conflict with expressed or implied constitutional, statutory, or treaty provisions.

"5. Congress has seen fit to require that public works, under the direction of the War Department, be constructed and War Department supplies purchased, with certain exceptions, under contracts entered into after advertisement for competitive bids. These statutes indicate a congressional purpose that, except as otherwise directed, such works shall be constructed and such supplies purchased at a minimum cost to the Government. In my judgment, it cannot be said as a matter of law that the insertion in Government contracts of a provision limiting the contractor's field of selection of employees to American citizens would not result in increased cost to the Government. As a matter of fact, information before this office indicates that in certain cases such a provision would result in increased cost. Therefore, I find myself unable to recommend the insertion" (J. A. G. 160, Misc., Aug. 14, 1930).

In addition to the foregoing considerations of the impropriety of including such a provision as that here projected in invitations for bids and contracts awarded thereon is the further circumstance that contracts for "the purchase of supplies by the Government, whether manufactured to conform to particular specifications or not, or for such materials or articles as may usually be bought in open market" are excepted by the act of June 19, 1912 (37 Stat. 138; U. S. C. 40, 325), from the requirements thereof that every contract made by the United States which may involve the employment of laborers or mechanics shall contain a provision that no laborer or mechanic shall be required to work more than 8 hours in any one calendar day.

4. Therefore, in my opinion, in the absence of authorizing legislation, compliance with such a provision should not be made a basis for contracting by the War Department for any of its supplies, unless, however, it is susceptible of determination and it is in fact so determined by the Secretary of War that the doing thereof would be in the interest of the Government as a contractor and not result in increasing the cost to the Government beyond compensating advantages.

Even were such determination made and use were made of the provision in bids and contracts as proposed, it does not seem necessarily to follow as a matter of course that the objective prompting the suggestion, though ever so desirable, would be accomplished. Furthermore, it would have the effect of preventing a reputable but small manufacturer willing to operate his plant in extra 8-hour shifts from bidding on such a contract.

A. W. BROWN,

Major General, the Judge Advocate General.

#### MEASUREMENT OF VESSELS USING THE PANAMA CANAL

The Senate resumed the consideration of the bill (S. 2288) to provide for the measurement of vessels using the Panama Canal, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. BAILEY] in the nature of a substitute for the amendment of the committee.

Mr. BAILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	King	Radcliffe
Ashurst	Copeland	La Follette	Reynolds
Austin	Couzens	Logan	Robinson
Bachman	Davis	Loneragan	Russell
Bailey	Duffy	Long	Schwellenbach
Barkley	Fletcher	McGill	Sheppard
Bilbo	Frazier	McKellar	Shipstead
Black	George	McNary	Smith
Bone	Gibson	Maloney	Stelwer
Borah	Glass	Minton	Townsend
Bulkley	Gore	Moore	Vandenberg
Bulow	Guffey	Murray	Wagner
Burke	Hale	Neely	Walsh
Byrnes	Harrison	Norbeck	Wheeler
Capper	Hatch	Norris	White
Caraway	Hayden	O'Mahoney	
Clark	Johnson	Overton	
Connally	Keyes	Pope	

Mr. RADCLIFFE. I desire to announce that my colleague the senior Senator from Maryland [Mr. TYDINGS] is necessarily detained from the Senate.

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. GORE. Mr. President, I desire to say for the benefit of Senators who have just entered the Chamber that the

question now recurs on the substitute offered by the Senator from North Carolina. I hope the Senate will vote down the substitute, in which event I will offer the substitute as an amendment to the pending bill. Then those who desire that there shall be an investigation will have their wishes complied with, those who desire permanent, substantive legislation will have their wishes gratified, and we will be troubled no more with this vexatious subject. On this question I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. KING (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. NYE], who is unavoidably absent. Therefore I withhold my vote.

The roll call was concluded.

Mr. BARKLEY. On this question I have a pair with the senior Senator from Delaware [Mr. HASTINGS]. Not knowing how he would vote, I withhold my vote.

Mr. BULKLEY. I have a general pair with the senior Senator from Wyoming [Mr. CAREY], who is absent. I transfer that pair to my colleague the junior Senator from Ohio [Mr. DONAHAY], who is unavoidably detained. I do not know how either the senior Senator from Wyoming or my colleague would vote on this question. I vote "yea."

Mr. BILBO. I have a general pair with the senior Senator from Iowa [Mr. DICKINSON]. Not knowing how he would vote on this question, I withhold my vote.

Mr. ROBINSON. I announce that the Senator from Alabama [Mr. BANKHEAD] is detained on account of illness; and that the Senator from Colorado [Mr. COSTIGAN], the Senator from Indiana [Mr. VAN NUYS], the Senator from Nevada [Mr. McCARRAN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GERRY], the Senator from New Hampshire [Mr. BROWN], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from California [Mr. McADOO], the Senator from Minnesota [Mr. BENSON], the Senator from Illinois [Mr. DIETERICH], the Senator from Illinois [Mr. LEWIS], the Senator from Nevada [Mr. PITTMAN], the Senator from Iowa [Mr. MURPHY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from West Virginia [Mr. HOLT] are unavoidably detained.

The Senator from Virginia [Mr. BYRD] is detained in an important conference. If present and voting, he would vote "yea."

I also announce that the Senator from Rhode Island [Mr. GERRY] is paired with the Senator from Indiana [Mr. VAN NUYS]. If present and voting, the Senator from Rhode Island would vote "yea", and the Senator from Indiana would vote "nay."

The Senator from California [Mr. McADOO] is paired with the Senator from Missouri [Mr. TRUMAN]. If present and voting, the Senator from California would vote "yea", and the Senator from Missouri would vote "nay."

Mr. AUSTIN. I announce the necessary absence of the Senator from New Jersey [Mr. BARBOUR], who has a pair with the Senator from Utah [Mr. THOMAS]. If present, the Senator from New Jersey would vote "yea" on this question, and the Senator from Utah would vote "nay."

I also announce the necessary absence of the Senator from Rhode Island [Mr. METCALF], who is paired with the Senator from New Hampshire [Mr. BROWN]. If present, the Senator from Rhode Island would vote "yea" on this question, and the Senator from New Hampshire would vote "nay."

I further desire to announce that the Senator from Iowa [Mr. DICKINSON] and the Senator from Delaware [Mr. HASTINGS], whose general pairs have been stated, are necessarily absent. If present, the Senator from Iowa and the Senator from Delaware would vote "yea" on this question.

Mr. RADCLIFFE. I announce that my colleague [Mr. TYDINGS] has been called to the city of Baltimore. I am informed that he has a pair on this question with the Senator from New Mexico [Mr. CHAVEZ]. My colleague, if present and voting, would vote "yea" on this question, and the Senator from New Mexico, if present, would vote "nay."

The result was announced—yeas 35, nays 31, as follows:

## YEAS—35

Adams	Davis	Keyes	Reynolds
Ashurst	Frazier	La Follette	Smith
Austin	George	Logan	Stelwer
Bailey	Gibson	Loneragan	Townsend
Borah	Glass	Maloney	Vandenberg
Bulkley	Guffey	McNary	Wagner
Byrnes	Hale	Moore	Walsh
Coolidge	Harrison	Overton	White
Copeland	Johnson	Radcliffe	

## NAYS—31

Bachman	Connally	McGill	Pope
Black	Couzens	McKellar	Robinson
Bone	Duffy	Minton	Russell
Bulow	Fletcher	Murray	Schwellenbach
Burke	Gore	Neely	Sheppard
Capper	Hatch	Norbeck	Shipstead
Caraway	Hayden	Norris	Wheeler
Clark	Long	O'Mahoney	

## NOT VOTING—30

Bankhead	Chavez	King	Thomas, Okla.
Barbour	Costigan	Lewis	Thomas, Utah
Barkley	Dickinson	McAdoo	Trammell
Benson	Dieterich	McCarran	Truman
Bilbo	Donahey	Metcalf	Tydings
Brown	Gerry	Murphy	Van Nuys
Byrd	Hastings	Nye	
Carey	Holt	Pittman	

So Mr. BAILEY's amendment, in the nature of a substitute for the amendment reported by the committee, was agreed to.

Mr. GORE. Mr. President, as I stated to the Senate a few days since, my own judgment is that this substitute ought not to pass the Senate. I do not think it solves the problem. In fact, I do not think it discharges the duty of the Senate, as I see it. I think if it goes to the House it will die in the House. I do not believe this legislation will ever be enacted into law; and I may say that since the jurisdiction of the committee of the House has changed from the Interstate and Foreign Commerce Committee to the Merchant Marine and Fisheries Committee, I think an open sepulchre is awaiting this legislation when it reaches the House. I am reliably informed that a representative of the shipping concerns said yesterday that if this measure could be defeated at this session, the shipping interests would be stronger at the next session, having reference, as I took it, to the changed jurisdiction in the House of Representatives.

I may say, however, that I have conferred with others who are favorable to this legislation in some form. My associate, who has rendered invaluable service, the Senator from Wisconsin [Mr. DUFFY], and others think that the substitute—even the substitute—should pass. I do not think so, but I shall interpose no further objection.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee, as amended.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## STOCKYARDS AND MEAT PACKING

Mr. CAPPER. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 1424) to amend the Packers and Stockyards' Act, 1921, being Calendar No. 1453.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas.

Mr. CONNALLY. Mr. President, is the motion to take up the bill debatable?

The VICE PRESIDENT. It is.

Mr. CONNALLY obtained the floor.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ASHURST. The Senator from Kansas [Mr. CAPPER] has been very fair. He has given notice of his intention to have this bill brought forward, and for the fairness of his procedure I thank him; but I am much opposed to the bill. I wish to be recorded as voting "no" on the motion to take up the bill.

We all say, quite naturally, "Let us take up the measure and find out about it." We are supposed to know something about the measure before we take it up. I desire to be recorded as voting against taking up the bill, and I ask for the yeas and nays on the motion to consider it.

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Arizona for the purpose of asking for the yeas and nays on this motion?

Mr. CONNALLY. The Senator from Texas does not yield at this time.

Mr. ROBINSON. Mr. President, my understanding is that there will be a prolonged debate on the motion to proceed to the consideration of the bill.

Mr. McNARY. Mr. President, I think I can answer that suggestion. After conference with the Senator from Kansas [Mr. CAPPER], I learn that he is willing that the motion remain in its present status if the Senate may take a recess until Monday.

Mr. ROBINSON. I was about to make that statement.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. CONNALLY. If I yield for a motion to take a recess until Monday, will the Senator from Texas have the floor when the Senate reconvenes?

The VICE PRESIDENT. The Chair will try to see the Senator on Monday.

## EMPLOYMENT OF PERSONNEL OF AGRICULTURAL ADJUSTMENT ADMINISTRATION

Mr. ROBINSON. Mr. President, I understand the Senator from South Carolina [Mr. SMITH] wishes to submit a request for unanimous consent, and I yield to him for that purpose.

Mr. McNARY. Mr. President, will the Senator yield first to me?

Mr. ROBINSON. Very well.

Mr. McNARY. A short time ago the Senator from South Carolina asked unanimous consent for the immediate consideration of Senate Joint Resolution 223. I objected then to the consideration of the joint resolution because I had not had an opportunity to examine it. I find that the measure simply means the transfer of the personnel from the old A. A. A. organization to the new organization known as the Soil Conservation Administration, without creating a new personnel. That is my interpretation of the measure. If that be correct, I shall have no objection to consideration of the measure at this time.

Mr. SMITH. Mr. President, that is correct. Accordingly I ask unanimous consent for the immediate consideration of Senate Joint Resolution 223.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 223) relating to the employment of the personnel of the Agricultural Adjustment Administration in carrying out certain governmental activities, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 7, after the word "Administration", to insert the words "or so many thereof as may be necessary", so as to make the joint resolution read:

*Resolved, etc., That notwithstanding any other provision of law the Secretary of Agriculture is authorized and directed to employ, in the city of Washington and in the field, the present personnel (including furloughed personnel) of the Agricultural Adjustment Administration, or so many thereof as may be necessary, in carrying out the provisions of sections 7 to 14, inclusive, of the Soil Conservation and Domestic Allotment Act, in the work of liquidating the Agricultural Adjustment Administration, and in the administration of the cotton price adjustment program instituted under the Agricultural Adjustment Act, as amended, whether or not any of these functions are carried out through the Extension Service, the Bureau of Agricultural Economics, or any other agency in the Department of Agriculture.*

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

## AUTHORITY TO SIGN JOINT RESOLUTION DURING RECESS

Mr. ROBINSON. Mr. President, I ask unanimous consent that the Vice President be authorized, during the recess of the Senate, to sign House Joint Resolution 514.

Mr. McNARY. Mr. President, what is the joint resolution?

Mr. ROBINSON. It is the joint resolution (H. J. Res. 514) authorizing the completion of certain records and oper-



ations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes.

Mr. GLASS. Mr. President, it is the joint resolution to which I called the Senator's attention a while ago.

Mr. McNARY. Very well.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of William H. Kelly, of East Orange, N. J., to be collector of internal revenue for the fifth district of New Jersey, to fill an existing vacancy.

Mr. TRAMMELL, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Navy and the Marine Corps.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the Committee on Appropriations, reported favorably the following nominations:

Herman G. Baity, of North Carolina, to be director of the Public Works Administration in North Carolina; and

Joe B. Mullins, of Tennessee, to be State engineer inspector for the Public Works Administration in Tennessee.

The VICE PRESIDENT. The reports will be placed on the calendar. If there are no further reports of committees, the clerk will state the first nomination in order on the calendar.

#### UNITED STATES CIRCUIT JUDGE—EDWIN R. HOLMES

The legislative clerk read the nomination of Edwin R. Holmes, of Mississippi, to be United States circuit judge, fifth circuit.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination?

Mr. BILBO. Mr. President, I desire to be heard on this nomination, and I should like to have a day set specially for the matter. It will take some time to present my objections. I have been trying to reach an agreement with the Senator from Arkansas [Mr. ROBINSON] to have the 26th day of this month fixed as the date when the nomination will be considered. I have not taken any of the time of the Senate since I have been here, and I am not anxious to break the ice now.

I should prefer a little time for the preparation I desire to make to enable me to present the matter to the Senate for final decision. I was assured by the chairman of the Judiciary Committee [Mr. ASHURST] that there would be no question about ample time being afforded me to make preparation for the presentation.

Mr. HARRISON. Mr. President, will my colleague yield?

The VICE PRESIDENT. The question of the confirmation is before the Senate at the present time. Does the junior Senator from Mississippi yield to his colleague?

Mr. BILBO. I yield.

Mr. HARRISON. If the Senator would agree that the vote upon the nomination might be had definitely at some time next week, I think that would be perfectly agreeable all around. I should dislike very much to have the matter continued indefinitely and in an uncertain manner. The nomination has been pending since the last session of Congress. There have been very long hearings before the committee, and I hope it may be disposed of at a very early date.

If it would meet the convenience and accommodation of my colleague to fix a definite time to vote upon the nomination, so far as I am concerned, I should be very agreeable to such an arrangement.

Mr. BILBO. I had contemplated making a motion, and it may become necessary to make a motion, to recommit the nomination to the committee for further investigation. I

do not see why I should agree at this time to have a vote finally on the confirmation.

Mr. HARRISON. If the Senator will permit me, of course, such a unanimous-consent agreement would carry with it the understanding that we should vote upon any motion at that time, and if the motion should be defeated, then the vote would come upon the confirmation of the nomination. That would not preclude the Senator from making the motion to refer the nomination back to the committee, but if his motion should be defeated then the vote would come upon confirmation.

Mr. BILBO. I will agree to that. Will the Senator agree to fix the time for the 26th day of this month? That will be 1 week from next Thursday.

Mr. HARRISON. That is 2 weeks from today?

Mr. BILBO. Yes.

Mr. HARRISON. That is a long time. Would not the Senator be agreeable to having the vote taken at 5 o'clock next Thursday?

Mr. BILBO. I would suggest that the matter be taken up at 1 o'clock, because I contemplate using possibly 3 or 4 hours of the time of the Senate.

Mr. HARRISON. I myself do not contemplate doing much talking. It would be perfectly agreeable to me, if it meets the approval of the Senate, that the Senate should go into executive session to consider this nomination at 1 o'clock next Thursday, and I suggest that at 5 o'clock a vote be taken. I feel, however, that there ought to be some time left for the members of the committee to say something with reference to the matter.

Mr. BILBO. Will the Senator agree that the discussion shall begin at 1 o'clock next Thursday and a vote be taken at the conclusion of the discussion?

Mr. ROBINSON. On that calendar day?

Mr. BILBO. Yes; at the conclusion of the discussion.

Mr. ROBINSON. That would enable any Senator who desired to speak to have the opportunity to do so.

Mr. HARRISON. That is agreeable to me.

Mr. BILBO. I have no desire to fix an hour for a final vote.

Mr. ROBINSON. Mr. President, in view of the colloquy that has just occurred, I ask unanimous consent that on next Thursday at 1 o'clock the Senate shall proceed in executive session to the consideration of the nomination of Edwin R. Holmes; that before the end of that calendar day the Senate shall proceed to vote on all motions that may be pending or that may be offered and on the question of the confirmation unless the nomination shall be recommitted.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I do not know why we should waste the hour between 12 o'clock noon and 1 o'clock. I anticipate considerable debate.

Mr. ROBINSON. I think that is a good suggestion. I will modify my request that when the Senate meets on next Thursday it shall proceed at once to the consideration of the nomination, letting the remainder of my request remain as it was stated.

The VICE PRESIDENT. Is there objection to the modified request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

The clerk will state the next nomination on the calendar.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Francis R. Stewart, of New York, to be Secretary in the Diplomatic Service.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

## RECESS TO MONDAY

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate took a recess until Monday, March 16, 1936, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate March 12 (legislative day of Feb. 24), 1936*

## DIPLOMATIC AND FOREIGN SERVICE

Francis R. Stewart to be Secretary of the Diplomatic Service of the United States.

## POSTMASTERS

## GEORGIA

Clyde W. Hill, Blairsville.  
Joseph D. Long, Bremen.  
Charles L. Adair, Comer.  
John L. Callaway, Covington.  
Mary L. Burch, Eastman.  
Robert A. Fowler, Fort Gaines.  
Arthur G. Williams, Jesup.  
Kenneth E. Stapleton, Lakeland.  
Thomas M. Carson, Lavonia.  
Augustus H. Flake, Lithonia.  
William A. Pattillo, Macon.  
Irene W. Field, Monroe.  
Andy G. Clements, Rhine.  
Olen N. Merritt, Ringgold.  
Estelle S. Peacock, Rochelle.  
Charlie B. Short, Thomaston.  
Minnie E. Giddens, Willacoochee.

## LOUISIANA

William F. Roy, Jr., Arabi.  
Joseph C. Ballay, Buras.  
Elizabeth Crawford, Gretna.  
Henry Buller, Iowa.  
H. Ernest Benefiel, Kenner.  
Frank Warren, Merryville.  
J. Clyde Arceneaux, Rayne.  
Hubert A. Duhe, Reserve.  
Stanislaus J. Waguespack, Jr., Vacherie.

## NORTH CAROLINA

Joseph A. Leigh, Belhaven.  
Fred M. Bradley, Old Fort.  
James H. McKenzie, Salisbury.  
Fred M. Pearce, Wendell.  
Arthur T. Newsome, Winton.

## HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 12, 1936

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

Heavenly Father, grant that by Thy Holy Spirit we may grow into the fullness of that which is highest and best. We pray that we may feel that it is a most helpful service to take reverent thought of Thee, praying that our deliberations may be guided aright. Thou, in whom there is no discord, possess us with humble and contrite hearts. In our deep consciousness keep us mindful of our responsibilities, examples, and influence. Do Thou fittingly equip us to discharge our duties in the exalted relation in which we have been placed. Blessed Lord, enable us always to jealously remember who we are and whom we represent. Bless our brother men and may we lessen their discontent and swell their songs of gladness. Blessed be the Lord, who daily loadeth us with benefits; even the God, who is our salvation. In the name of our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10919. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1937, and for other purposes.

## THE PETTENGILL BILL

Mr. DUNN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUNN of Mississippi. Mr. Speaker, there was introduced in the Congress during the first part of the Seventy-fourth session a bill known as the Pettengill bill, and this bill will probably be presented before this body at some early date or at such time in the very near future when it shall have received a rule.

The bill in question is receiving considerable attention throughout the country and is being publicized at length by many newspapers of consequence.

This bill deals specifically with the long- and short-haul clause found in the Interstate Act, which regulates railroads, and I am advised that the Committee on Interstate and Foreign Commerce of this House has unanimously recommended the enactment of the Pettengill bill into law, and that this recommendation from the committee comes after a full and complete hearing by it.

The elimination of the long- and short-haul clause from the Interstate Act, in my judgment, is certainly necessitated by reason of changed conditions in the matter of modern transportation. This long- and short-haul clause was necessary when it was enacted into law back in 1910, because at that particular time the railroads had little or no competition of consequence, but what with the franchises or permits of convenience and necessity granted by most of the States of the Union to bus concerns, who are handling a large percentage of the freight ordinarily handled by railroads and which bus lines, as a general rule, though operating from one State to another, are not compelled to publish tariffs in any form; with water-transportation companies practically subsidized with taxpayers' money paid out of the United States Treasury and operating on a most unfair competitive scale; with aviation transportation growing in leaps and bounds, there is no way in the world to offer encouragement or future hope to the railroads of this Nation except through the elimination of the long- and short-haul clause of the Interstate Act.

No one doubts that the railroads are now highly discriminated against and that their path has not been an easy one during the past 6 years, and unless we meet modern and changed conditions with modern and changed legislation we are striking at a very vital and potential part of our commercial life.

The Pettengill bill will in no particular change any of the requirements of the Interstate Commerce Act, and the Interstate Commerce Commission will continue to hold the balance of power in the matter of discriminatory rates, and the Commission will continue also to prescribe maximum and minimum rates. Therefore, there is no reason to assume under any circumstances that harm would come to the American public in the passage of this bill.

The truth of the business is that if this clause is eliminated from the act, thousands of railroad men long since off the pay roll will be placed back to work, because the railroads will then be in a position to operate almost twice as many trains as they are operating now. This, of course, increases pay rolls, and, in turn, aids each and every little precinct and hamlet of the Nation in the matter of getting back taxes from the railroads which they have been missing to a great extent during this period of depression and unfair competition among the transportation agencies of this new era.



## PITHY POINTS FROM PERSHING

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief letter from General Pershing.

The SPEAKER. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, on January 28 I sent out to all the retired general officers of the Army, about 285 in number, a letter inviting them to express their opinions concerning many matters relating to national defense and promoting the welfare of the Army. For the information of the House I quote that letter.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., January 28, 1936.

MY DEAR GENERAL: About 4 years ago I addressed a letter to all general officers then on the retired list, asking that they give the Committee on Military Affairs, through me, the benefit of their experience and reflections, looking back upon a lifetime of service in the cause of national defense. I am now sending out a similar letter to all the general officers on the retired list and make the same appeal to them, in hope that out of their experience and studies we may obtain useful suggestions.

I am appealing to the retired general officers because they have received the honors of the country as a reward for their abilities and faithful services and are now receiving sufficient financial support from the Government to enable them to be relatively independent. They are, therefore, without any special obligations to any person or group and can speak with complete frankness and candor upon any matter about which they may have conscientious convictions.

I can assure all recipients of this letter that their communications will be received in complete confidence, if they so indicate, as has been the case in those who answered the communications 4 years ago.

Trusting that it may suit the convenience of many of the retired officers to give this request most earnest consideration and as early reply as possible, I remain,

Yours truly,

J. J. McSWAIN.

I have received replies from considerably more than 100 of the retired officers, and many of them have contained exceedingly valuable suggestions. A few of those officers have indicated their permission for me to make their letters public, and at the proper time I will do so. This morning I received a letter from Gen. John J. Pershing, a name known throughout the world, and I immediately wired asking for permission to publish his remarks in the CONGRESSIONAL RECORD. I have just received a telegram from him granting his permission, and accordingly I am offering his letter for printing.

I want to call especial attention to the fact that General Pershing volunteers his approval and endorsement of the Thomason Act and urges appropriation of funds necessary to make that act effective. This is very strong indeed. I also call attention to the fact that General Pershing recognizes the very supreme importance of R. O. T. C. in preparing Reserve officers for use of the country in the event of mobilization for defense. In his final report as Chief of Staff, dated September 12, 1924, General Pershing, in referring to Organized Reserves, used the following language:

3. Organized Reserves: The successful preparation for defense as contemplated in the act of 1920 for the most part depends upon the Reserve officer. Without adequate numbers, efficiently trained, and equitably allotted to the various units of staff and line, we should, in a great emergency, find ourselves exactly where we were in 1917. It should be remembered that we must turn to the Reserves for all extra officers needed, and that many would be required to fill the quotas of the Regular Army and the National Guard to start with. The efficiency of these officers is the variable in the equation, and the more nearly we are able to approximate to its maximum value the more confidently may we consider ourselves as approaching a condition of readiness.

During the World War the citizen officers constituted 95 percent of the officer strength of our forces. Two-thirds of the Reserve officers today are men who saw service in the war and who have joined up because they realize the significance of preliminary training during peacetime. There is a splendid spirit among the 80,000 or more carried on our rolls, and all they ask is opportunity to learn. Here arises one of the most difficult questions in our efforts to build up a competent Reserve force. Until very recently it has been the rule to encourage all those with war experience to enroll, and practically all applicants have been accepted. In principle it would be advantageous to have all of them who are interested and who are not beyond a certain age. But, without counting those whose civil professions would make little military training

necessary, it is probable that the list of those subject to a period of training every third year would severely tax our present facilities, to say nothing of the economical side of the question.

This statement is pregnant with significance for the cause of national defense. It is the very strongest statement of the supreme importance of the Organized Reserves in our defense system.

While General Pershing's letter is dated February 29, it was received by me only today, and I have received the following telegram consenting that the same may be used as I may wish. I wish it in the CONGRESSIONAL RECORD as evidence to all that General Pershing is still in close touch with affairs relating to the Army, and has the constructive statesmanship to see the possibilities of the Thomason Act and the importance of the R. O. T. C. Here is the telegram:

TUCSON, ARIZ., March 11, 1936.

Congressman J. J. McSWAIN,

Chairman of Military Affairs Committee:

Reference your telegram, you are at liberty to use my letter of February 29 in any way you wish.

JOHN J. PERSHING.

The following is the letter dated February 29, but received this March 11:

TUCSON, ARIZ., February 29, 1936.

HON. JOHN J. McSWAIN,

House of Representatives, Washington, D. C.

MY DEAR MR. McSWAIN: With reference to your letter of January 28, I have been following with keen interest the press reports of your activities in behalf of national defense, and regard it as very essential that your efforts meet with success. There is very little of any great importance that I could suggest along the lines of improvement in the Army that has not been or is not being considered by the active General Staff and others. I can only point out that my ideas, in general, of the organization of the Army for peacetime service and as a basis of expansion for war were embodied in the National Defense Act of 1920, the attainment and perfection of which seem to be the goal toward which you are working.

At the termination of my tour of service as Chief of Staff I made an exhaustive report, copy enclosed, including recommendations based upon my experience in the World War and later. That report expresses, in general, my views at the present time.

With reference to Army personnel, the so-called Thomason Act, which has my hearty endorsement, will provide splendid officer material, and no doubt will do much to increase enthusiasm for military training in the R. O. T. C. It is highly desirable that this act be made effective by the appropriation of the necessary funds. The R. O. T. C. and C. M. T. C. are turning out annually young men who have shown their aptitude for military training, many of whom have demonstrated initiative and leadership of a high order. These are exactly the qualities that we should look for in the selection of young men for appointment to West Point. Perhaps some modification of the present method of choosing appointees to the Military Academy might well be considered with a view of making the most promising of these young men available for selection.

As to enlisted personnel, the higher the class of men drawn into the Army the more efficient will be our armed forces. To secure the type of men desired the service must be made more attractive, and it seems to me that this can only be done by offering additional inducements. Of course, increases in grades and ratings should be provided to meet increases in the strength of the Army, but in any reconsideration of the system study should be given to methods for liberalizing the opportunities for advancement. Certainly, to my mind, the Army should not be at a disadvantage in this regard with other branches of the service.

Yours very sincerely,

JOHN J. PERSHING.

Mr. Speaker, I think most disinterested and impartial thinkers will agree with General Pershing that perhaps some modification of the present method of appointing cadets to the Military Academy should be had so that the most promising young men should be available for that training. I have always refused to appoint any young man to either the Military Academy or the Naval Academy from mere political considerations. In order to free myself from any such temptation, I have made all appointments as the result of competitive examinations conducted by the United States Civil Service Commission to which every young man in the district who applied was admitted. However, on two occasions when there was not time to conduct a competitive examination, I requested the academic authorities and the military instructors of the two colleges in the district represented by me where there are R. O. T. C. units to make the recommendations and I followed their recommendations unquestionably. I have felt



for sometime, and this has been based upon much observation and reflection, that we have not been getting the very best material available for our cadets at the Military Academy. Of course, many of the cadets are of a very high order; but I believe the average could be raised by a change in the method of selecting the cadets. I believe that impartial observers will agree with General Pershing and with many others in that conclusion.

Mr. Speaker, in the effort to find the best method possible of selecting the very best young men available to become Army officers and to take appointments to the Military Academy entirely and completely off the political auction block, I have introduced H. R. 10389, on which there will be a hearing before the Committee on Military Affairs on next Wednesday, March 18, beginning at 10:30 a. m., and I respectfully invite any Member of Congress and any citizen of the United States that may be interested in this problem to appear and offer any constructive suggestions. Surely no man can contend that the present system is perfect and incapable of improvement. I believe it is far from perfect, and that we have other thinkable ways of selecting such cadets which would be a decided improvement. About this matter there may be honest differences of opinion, but I am inviting all to present their honest opinions before the committee on next Wednesday.

Mr. Speaker, for the information of those concerned, I am printing herewith a copy of H. R. 10389:

A bill relating to the appointment of cadets to the United States Military Academy

*Be it enacted, etc.,* That the act of July 9, 1918 (40 Stat. 894; U. S. C., title 10, sec. 1091), as amended, be, and is hereby, further amended by adding at the end thereof the following language:

"The President shall make said appointments of cadets to the United States Military Academy as a result of competitive examinations which he shall direct to be conducted under rules and regulations to be prescribed by him. All applications for examination by those seeking such appointments shall be filed with the Secretary of War before January 1 of any year during which admission is to be sought to said United States Military Academy. All such applications, to which a recent photograph of the applicant shall be attached, shall be upon forms to be prescribed by the Secretary of War, which shall be uniform in all cases for any one year and shall elicit full information concerning the applicant, his education, and other pertinent facts material to his prospective career as an officer in the United States Army, including any military training he may have received. Said examination shall be conducted prior to March 1 of each year and the results thereof announced as soon thereafter as practicable, and in sufficient time to enable all winners to prepare to enter said Academy on July 1 of such year and in no event later than May 1 of each year. Such examination shall test as near as may be practicable the general fitness of the applicants to become officers in the United States Army. In the rating of said examination the mental qualifications shall rate 75 percent of a total 100 percent, and the temperamental qualifications involving character, leadership, personality, and temperamental fitness, to become officers shall rate 25 percent. Qualifications other than mental shall be ascertained in such practical way as the regulations of the Secretary of War may prescribe by tabulating the answers to questionnaires submitted to former teachers and responsible acquaintances and by examinations of the records or certified copies thereof of the activities of each applicant in athletics, in student welfare work, and in connection with student and community life generally. In all cases there shall be submitted duly certified copies of all school records affecting each such applicant, beginning with the first year of high-school work or the equivalent thereof and continuing with any school, college, or university in which such applicant may have been a student up to the time of such application. The President may direct that the mental examinations herein required shall be conducted by the United States Civil Service Commission. All mental examinations shall be at such times and places as the President deems most convenient for the applicants, and mental examinations shall be held in at least one place in each State and congressional district for applicants seeking appointment from the several States and congressional districts. All examination papers, questionnaires, rating sheets, and other data shall be kept on file in the War Department for 5 years after each such examination. If the applicant appointed by reason of making the highest rating fails for any reason to enter said United States Military Academy on July 1 of any year as intended, the President shall appoint the applicant making the next highest rating, and so on down the list in the order of their rating, but no applicant shall be admitted as a cadet in said United States Military Academy after July 10 of any year. But each vacancy for any State or congressional district shall be filled by a new examination to permit all persons qualified since the prior examination to apply. All persons so appointed shall be bona fide residents of and actually domiciled in the State or congressional district for which appointed."

## IRRIGATION PROJECTS

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, I rise at this time to call the attention of the House to a table I put into the RECORD last night, showing the total cost of the irrigation projects that are in the Interior Department appropriation bill, which were not in the bill when the bill left the House. That table appears on page 3586 of the RECORD. The total cost would amount to \$773,000,000, and the appropriations for these particular projects amount to \$54,110,000, while the future cost would amount to \$574,818,000. I request the membership of the House to earnestly support the House's position in trying to keep out this terrific item of expense, which will fall on the Government and prevent us from keeping taxes down in any shape at all in the years to come.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. SNELL. As I looked over this list, as originally printed, I noticed that the projects were very carefully selected from different States, so that enough States would be represented in the omnibus bill or in the pork-barrel bill to insure putting it through another body. Did the gentleman find that to be true?

Mr. TABER. That is the situation.

Mr. SNELL. I think there are seven or eight different States where these amounts are distributed.

Mr. STUBBS. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. STUBBS. Is the gentleman willing to go on record as trying to strangle out of existence the lives of some twelve to fifteen million people out in these reclamation States?

Mr. TABER. We do not strangle out of existence those people who are there, but simply prevent the opening up of land that is not now under cultivation to be placed in competition with land on which people are paying taxes throughout the rest of the country.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. BUCK. The gentleman in his denunciation surely does not include the Central Valley water project of California, which is for the purpose of preserving and not opening up new areas.

Mr. TABER. It is quite an expensive proposition. According to the estimates of the Reclamation Bureau, the total cost of that project will be \$170,000,000.

Mr. BUCK. Mr. Speaker, will the gentleman yield further?

Mr. TABER. Yes.

Mr. BUCK. The gentleman is aware that project had extensive hearings before the Flood Control Committee of this House and was included in the bill which has been reported favorably from that committee.

Mr. TABER. Oh, yes; but the bill has not been passed by the House.

Mr. RICH. The Flood Control Committee adopted every project that every Member of Congress presented, whether it had any merit or not. It was the biggest pork-barrel bill that has been reported out of a committee since I have been a Member of the House.

The SPEAKER. The time of the gentleman from New York has expired.

## LEGISLATIVE APPROPRIATION BILL, 1937

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11691) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1937, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House resolve itself into the Committee of the Whole House on the state of the



Union for the further consideration of the legislative appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill, with Mr. Buck in the chair.

The Clerk read the title of the bill.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I yield 7 minutes to the gentleman from West Virginia [Mr. RAMSAY].

#### OUR NATIONAL DEBT

Mr. RAMSAY. Mr. Chairman, I desire for a few minutes to discuss our national debt.

Mr. Hoover, in his Lincoln Day speech, quoted Mr. Lincoln's famous statement that "The Lord must have loved the poor people because he had made so many of them."

If this is the true measure of love, Mr. Hoover can truthfully exclaim "Greater love hath no man than this", because I created more poor people in the United States in 3 years than the Lord did in 7,500 years. [Applause.]

Again Candidate Hoover, in one of his most recent attacks upon the New Deal, seemed to express the opinion of the present opposition leadership when he said:

There was no failure, during his administration, to provide for those in real need.

I cannot believe that human memory is so short that it has forgotten the sickening scenes enacted in America before the present administration established relief on a national scale.

Mr. Hoover and his leaders claimed then—as he and they claim now—that the Red Cross and private charity could take care of relief.

During the winter of 1931 and 1932 the situation had become so bad that the mayors of 215 cities sent word to Washington that private charity could no longer be depended upon; Governors appealed; Senators LA FOLLETTE and COSTIGAN demanded Federal action and amassed a staggering array of evidence from more than 800 municipalities showing widespread want, hunger, and unrest. More than 300,000 young men were tramping the streets and fast developing into hoboes; 15,000,000 men were totally unemployed and 30,000,000 were only working part time. The total amount raised by the community chest councils for the year 1932 was only \$101,181,949—not sufficient to take care of the unemployed in New York City, so in New York families were existing on \$2.39 per week. In Pennsylvania and West Virginia coal fields whole families were existing on an average of \$4 per month. During all this time President Hoover was silent and his leaders in Congress were opposing the Costigan bill for relief.

Finally pressure of public opinion became so great that President Hoover and his administration agreed to a compromise offered by Speaker Garner and Senator ROBINSON, leader of the Democrats in the Senate, upon a bill carrying \$300,000,000 for relief among the States. But the Hoover administration agreed to this bill with their tongues in their cheeks, designating it as "pork."

But remember! Before one penny of this sum was distributed among the States, Mr. Hoover—through his Finance Corporation—had authorized more than \$1,000,000,000 in loans to railroads, insurance companies, banks, and other business firms.

The record of the last Republican administration does not warrant the American people listening to these same politicians with patience in their plea for a return to power so these same "gangsters-up" may return to the benevolent care of private charity, the welfare of the 10,000,000 men still unemployed. And this is the only substitute these objectors can offer. Wonderful statesmanship! And they really think they ought to win.

But when these gentlemen cry about deficits that have been caused by the recent administration in its successful effort to relieve unemployment, save business, save the homes and farms of the people, increase wages of labor and the products of the farm, mill, and mine, they should explain why the Hoover administration created a deficit of over \$5,000,000,000 in the last 3 years of his administration

in his efforts to only meet the ordinary expenses of the Government, forgetting entirely the sufferings of the people in his fright over the breaking up of over 2,000 banks during his administration and the other 8,000 that had drifted on the rocks during the administration of Coolidge and Harding. Let them also explain the European loans that were made during the Harding and Coolidge administration that should have been applied to the reduction of our own national debt instead of being given to foreign peoples and the debts now repudiated and collections denied.

Yes; before we again place these gentlemen in control of our Government let us be assured we want to turn back to these good old days of Mr. Hoover, for that is the kind of policies in which they believe; and, of course, if returned to power they will be consistent and again restore this Government to the special interests and the unemployed to the care of charity.

While discussing the hatred public-works program of the administration with one of the lawyers of big business who, like the reactionary press, rants day and night about this subject; I inquired of him what he would propose to take care of the 10,000,000 men out of employment in this country. His reply was frank and to the point: "Hell! Nothing! We need that many men out of employment in America so that labor can be kept in its place, so employers can hire them at their own terms."

Here is at least one honest objection to the efforts of the administration to give every man a chance to earn a living.

But what about the spending of money by this administration? As I understand it, the present administration will have created a deficit of some eight or ten billion dollars at the end of its present term, January 1, 1937.

During the administrations of Harding, Coolidge, and Hoover billions of dollars of American money was loaned to foreign countries upon the condition that the borrowers would spend it in America, compelling them to pay higher prices for such products than they could be purchased in the open market, thereby creating a fictitious prosperity in America. That immediately collapsed when loans were cut off, and, to add insult to injury, practically every one of such loans have been repudiated and the deficit charged to the good old United States Treasury. Yet we never hear anything about this deficit, but, instead, it has the approval and blessing of every mother's son that is now yelling about the administration taking care of our own suffering people. Admit that all of this money has been spent—as it has not, because billions of it has been loaned to home and farm owners, banks, manufacturers, and others and will come back to the Government—but, even if it has been spent and a deficit created, the very fellows who are doing the most yelling have received benefits they never dreamed of; they own most of the stocks and bonds of this country. Such stocks and bonds have advanced in value \$35,000,000,000 from their value of March 4, 1933. These owners themselves could pay off all the deficit that has been created by this administration and still be to the good by \$25,000,000,000.

I often wonder how they have the nerve. How can any man be so heartless as to desire that 40,000,000 of his own people should suffer for want of the actual necessities of life in order that employers of labor be enabled to employ them at starvation wages.

In addition to the denunciation of the present administration for spending money to feed the unemployed, the opponents of the administration make a great ado about the rise in prices—except prices of all commodities they themselves are interested in, either in manufacturing or selling. I will wager no one can quote any of such critics dissatisfied with the rise of stocks or bonds. Of course not! They own these. But they shout, "Look at the price of pork, beef, and food-stuffs."

Does any sensible or reasonable man believe that conditions could improve and that we could crawl out of the cellar of depression without a rise in prices? Such increases were necessary. It was the first objective of the administration. The President and Congress did everything they could to raise prices, well knowing that to do so would immediately start us on the road to better times and conditions.



Today the prices of meats and foodstuffs are, of course, much higher than the 1932-33 range, but about on a line for the average of 15 years before the Hoover panic.

Take, for instance, pork—the article always cited and mulled about by the critics of the New Deal. In the year of 1920 it sold at wholesale for 39 cents per pound, while today it is selling for 23 cents per pound. Of course, this seems high, when compared with the Hoover panic price of 9 cents per pound. But we must remember that the reason for these low prices in 1933 was because few in America were earning sufficient to purchase the necessities of life, and the loss of trade and sales brought everything in America down to ruinous prices that all but destroyed our country.

Does anyone believe that the farmer could continue to raise pork for the 3 cents per pound he received for his hogs in 1933? This price did not cover the cost of producing the animals, and so it was with everything the farmer raised. Wheat was selling at 30 cents per bushel; his corn was bringing him 20 cents per bushel. Of course, he could not raise either for such prices, so he fed these cereals to his hogs and cattle in order to make his own market for his crops, and because nearly every farmer had the same idea, they all produced an oversupply of both cattle and hogs for a market that had no buyer, caused primarily by unemployment and low wages. Today these products are only bringing an average of 88 percent of the prices for the same articles in the years of 1925-26.

It is true, however, that while meat and food products have reached recovery in prices equal to 88 percent of normal, wages have only reached an average of 78 percent of normal for the same period of time. It has been proven, however, that during the life of the N. R. A. and before its assassination by the court of appeals, the desired increase in the cost of living and wages were advancing exactly parallel.

It is my belief that the desired and proper thing to do is not to injure the farmer and producer by the destruction of his prices, but see to it that the earnings of the wage earner are increased commensurate with the increase of his living and housing, and this can only be brought about by the restoration of work and the chance for every man in this country to earn his living by an honest day's toil. But this can never take place so long as we have millions of unemployed who are willing to work for starvation wages in order to eke out a mere existence.

I have no patience with the theory that this country owes every man a living, but it does owe every man a chance to earn a living; a chance to rear his family in a manner that will make them true, loyal Americans, proud of their country, and enable them to utter the proud boast of their fathers: "To be an American citizen is a greater privilege than to be a king in any other land."

The American people must have been astonished at the monumental gall of certain bankers who recently attended the bankers' convention in New Orleans when they criticized and denounced the New Deal. It certainly took real and actual gall for some of these bankers, who—through their absolute incompetence, negligence, and failure—brought so much grief to the American people during the last 10 years.

From January 1, 1920, to March 3, 1933, 10,000 commercial banks, or 52 percent of the total number, were closed. It was necessary for the Government to advance to these bankers, whose banks had closed, three billions of dollars to save the remainder, 48 percent, from also collapsing.

Through Government aid millions of dollars have been restored to the stockholders and depositors of such banks that would have been permanently lost. In addition to this, the depositors have lost over three billions of dollars through these failures, which is a permanent loss and cannot be made up—even by the aid of the Government. This is one permanent deficit we never hear these bankers mention, and if it were not for the Federal Deposit Insurance Company, which materially stopped the loss of the banks and prevented more of them from collapsing and restored the confidence of the people in the security of their banks, there would not have been 10 of them left to have met and de-

nounce the administration because it was far-sighted enough to save them from utter destruction.

Talk about gall! These fellows must have forgotten very quickly, or they must believe that the American people have forgotten all about the grief they have brought this country. Why can they not go along; make loans and aid their country in a real come-back, and accept wholeheartedly the great improvement in business conditions that has taken place in our country during the past 2 years.

Mr. Chairman, the '36 campaign is fast approaching. What are the issues? The one name, the one word "Roosevelt." Are you for him or against him? That is the issue; none other.

Roosevelt represents those who believe in government of the people and by the people; in equal rights to all and special privileges to none.

The opposition oppose him. Not because he has failed to improve business conditions, not because he has failed to aid business in every way possible, but because he has aided by legislation and by all the powers of government the unemployed, the aged, the poor, and the helpless. This, the old order and some big-business men, the "gangers-up" can never forgive. Therefore the shouting, the tumult, and the noise; the charges, condemnation, and abuse by every special interest, together with their bought-and-paid-for press, who are constantly shouting "Freedom of the press"; "Roosevelt is an anarchist, Socialist, and a dictator. Why, he actually refused to take our dictation and is helping the poor. Down with him! Let's have another Coolidge or Hoover, then our voices will again be heard in Washington; we will then restore the care of the unemployed to private charity; we will transfer the burden of taxation from the broad shoulders of the rich and those who have large incomes and place it on the poor by sales taxes and higher tariffs; we will destroy the old-age pensions and unemployment insurance. In fact, we will go back to the good old days of '32, when 15,000,000 men were out of employment and 30,000,000 more were only working part time; to the time when we could employ men at our own terms and conditions."

These are the issues. Where do you stand? With Roosevelt and the new day, that is seeking better things, or with the old order of charity, unemployment, depression, coercion, low wages, and starvation? Make no mistake. This is the issue. [Applause.]

Mr. SNYDER of Pennsylvania. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. STUBBS].

Mr. STUBBS. Mr. Chairman, for 5 long years the Frazier-Lemke bill has been before the Congress. These years have meant only 60 months to most of us, but to the farmers of the Nation who are in real distress and who have been looking toward their legislators in Washington to correct the faulty economic situation which has enmeshed them, these 5 years have seemed like 5 decades. Some criticize the farmer for looking to Washington for succor. The fact is that Washington, and almost every candidate for office from a rural district, has encouraged the farmer to look to him and to the Federal Capitol for a solution to the farm problem, and it is up to us to make good on our promises.

I believe that the time has arrived for us to act. Let us not go home again without having given the Frazier-Lemke bill a chance to be heard on the floor of the House and brought to a vote of the Members. We have tried many avenues of approach which appeared to be solutions to the problem. Some have been successful in a measure and others have been tossed out the window as unconstitutional. I commend the Congress for these efforts to alleviate farm distress.

But the farm problem is not solved. We have not exhausted every resource. It is a national headache. While the Farm Credit Administration has been of some assistance to agriculture by extending \$2,200,000,000 in financial aid to distressed farmers, we still have approximately \$5,800,000,000 in farm mortgages which are in bad shape. We are faced with the task of refinancing the larger part of this \$5,800,000,000 in unsatisfied mortgages or suffering the national disgrace of seeing them foreclosed. Foreclosure would only place them



in the hands of large finance concerns. It would eliminate the individual farmer and make tenants out of those who till the soil. We are not a Nation of tenants; we are basically a Nation of individuals who prefer to work out our own problems if given half an opportunity. This bill would not increase the national indebtedness. It would not cost the Government a dime in the long run—we believe, in fact, that the Government eventually would realize a few million dollars in profit, while the farmer would be saved and our financial structure strengthened.

Those of us who believe sincerely that the Frazier-Lemke bill, with its \$3,000,000,000 program, would alleviate a large group of distressed agriculturists are chagrined at the failure of Congress to give the bill a chance to reach the floor for open debate.

A program of such major importance, which has been reported upon favorably by the Committee on Agriculture and which has been advocated by many Members and supported by almost all farm groups, surely should be given a hearing before the House once within 5 years. Rarely has a measure been sidetracked so long. As you know, there is a petition on the Speaker's desk. When the petition bears 218 names the bill will be brought before the House for debate and a vote. At the present time the petition bears 212 names—only 6 from the objective. I am advised that no less than 234 Members have signed this petition during the current session, but that, for one reason or another, they have removed their names. Thus at no one time has the petition borne the necessary 218 names. Whenever it seems that we will attain the goal of 218 names something always occurs which causes some Members to remove their signatures.

I have signed the petition. I am no. 16 on it. I also have induced several of my colleagues to sign it. I, of course, intend to vote for the bill, because I believe in the principle involved. No one can criticize me for believing in a principle and working for it. However, if you will sign this petition so that we can get the necessary 218 names, you are not necessarily obligated to vote for the bill or defend it in debate. You may demonstrate by such action, however, that you believe no legislation of such importance to a great many people should be sidetracked because of a rule promulgated by ourselves. After all, we should not consider ourselves the sole judges of what should be heard in this legislative hall. We are the representatives in a democratic form of government. We are here to recognize the voice of our people. Those who favor the Frazier-Lemke bill, while they may not constitute the majority of the people, do constitute a large part of the Nation's population, and their voice has a right to be heard. I recommend that you sign the petition and give us a chance to get this bill out of its pigeonhole and bring it before the House for debate and a vote. No request could be more sincere. Those of us supporting the measure are confident that its merits will win the approval of the Congress. Give us a chance to present our case to you. [Applause.]

Mr. SNYDER of Pennsylvania. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, sometime ago I attended a meeting at which I saw a very interesting experiment staged. The speaker got up with a bottle in his hand and told the audience that the bottle contained ammonia. He pulled the cork out of the bottle, shook the contents over the floor, waved a paper behind it, and said, "Now, just as soon as you people in the audience smell this ammonia I wish you would put up your hands."

Almost immediately a man in the front seat stuck up his hand. He smelled ammonia. Gradually back through the audience, until they came clear to the back, the hands were still going up. People had smelled ammonia. Just as soon as the man in the back seat had signified the fact that he smelled ammonia, the speaker took the bottle and drank part of it. He said not to be disturbed about that part of the experiment, because the bottle contained pure water.

It illustrates very nicely, I think, the power of imagination. Those people in the audience knew that they should smell ammonia and immediately started to smell it. That was a harmless experiment. It was perfectly harmless on the part

of those people who stuck up their hands, but when the imagination begins to run riot and when, in addition to the imagination, the malicious element begins to enter, then it ceases to be a harmless thing and becomes a dangerous thing. I refer, of course, to the practice in recent years of individuals with very active imaginations who see red riots and troublesome radicals all over the country. They can see it in anything that comes to their attention.

We have annually a red scare, annually a red-baiting campaign. Most of the people of the country, because we have had so much of it, are beginning to realize the fact that a lot of it is purely imagination and malicious propaganda. We have heard a lot of talk recently about the same subject, but I want to take a different slant at it this morning. I want to refer to the activities of one of the most malicious red baiters in the country, the editor of a large chain of papers, Mr. Hearst, and his recent attacks upon the Works Progress Administration.

It is perhaps both futile and unnecessary to waste your time and mine in showing up the malicious and absurd perversions of facts which accompany the annual red-baiting campaign. Fortunately the great majority of our citizens have too much common sense and common decency to be taken in by such patently false and vicious propaganda.

This method of sweeping accusation and underhanded libel has so long been a weapon of the enemies of democracy that the great mass of voting and taxpaying citizens in this country recognize and ignore it as such.

But I cannot stand by and permit to go unanswered such deliberate falsehoods and gross distortions of the truth as have recently appeared in the guise of news on every street corner in this country.

I refer specifically to a recent series of articles, sponsored by that great un-American and high priest of yellow journalism, William Randolph Hearst. In these he accuses the Works Progress Administration, through its Education Division, of spending taxpayers' money to spread the "red" gospel, to preach communism, class hatred, and racial strife in the cottonfields and mill towns of the South.

That these accusations have not a single basis of truth is obvious to anyone who knows anything at all about either communism, education, or the Works Progress Administration. Ordinarily I would not bother to take the time to refute them—they would be discredited by their own falsity. But circumstances have convinced me of the real and immediate danger to freedom of thought and speech in this country. We cannot ignore the recent passage of teachers' oaths in 19 different States—oaths which on their face value are harmless enough, but whose admitted and obvious purpose is to disenfranchise those teachers who will not dishonor their profession by placing propaganda before education. We cannot ignore the attempts to legalize the suppression of free speech and free opinion by means of the Tydings-McCormack disaffection bill and the Kramer sedition bill.

It is high time that we enter the lists on behalf of our much-abused constitutional liberties, ere to late we find ourselves muzzled and buried in the bastle of San Simeon. High time that someone show up in their true colors the cheap tricks of that super sob sister of autocracy, hypocritically parading under the banner of constitutional freedom.

Let us examine the record of the W. P. A. educational program. When the Federal Government first undertook to meet the relief needs of our millions of unemployed and to find socially useful and socially needed work-relief projects, it saw the need of extending public educational opportunities and of making those opportunities genuine mediums of training for citizenship. Government of the people depends on the ability of the people to govern. To prepare citizens to understand the social, economic, and political issues of the society in which they live and on the basis of a thorough knowledge of all the facts to participate intelligently in the processes of self-government, this was the purpose for which more than a hundred years ago we established a system of free public education. But, having achieved this, we rested on our oars. Our educational facilities and our educational curriculum have not kept pace with increasingly complicated



and rapidly changing social and economic conditions. In spite of our boast of free education for all, there are at present in the United States 12,000,000 voting adults who cannot read a newspaper or write a letter, in addition to many millions more who have been forced by economic necessity to leave school at 13 or 14. It was the double objective, therefore, of giving constructive employment to thousands of unemployed teachers and professional workers and at the same time meeting the generally recognized need of the educationally underprivileged that the Government organized a work-relief project in emergency education. This project has been going on for three winters. Last winter more than 2,000,000 men and women were enrolled in classes. Over 40,000 teachers were employed in the program. Classes were conducted in 47 States of the Union—the one exception being Delaware—and were administered and supervised with the cooperation of the State departments of education. The majority of the classes were conducted in public-school buildings, the others in parish houses, settlement houses, and Y. W. C. A.'s. At this point Mr. Hearst has the nerve—or is it the naïveté?—to announce that he has just discovered that this program of emergency education has been surreptitiously undermining the morals of our good citizens, quite unbeknown to our public and State officials. Would he insinuate that these public servants are too dumb to recognize that they are sponsoring sedition and disseminating communistic literature? Or would he have us believe that those conscientious, hard-working men who daily superintend the public education of our children are wolves in sheep's clothing and secret apostles of the red gospel?

Mr. Hearst replies that he does not object to the splendid work of this project of combating illiteracy, in teaching homemaking, sewing, cooking, in establishing nursery schools, in providing vocational training. He centers his attack most ferociously on the division of workers' education. Now, workers' education is not new in the educational field—workers' education classes have been carried on in the United States since before the World War; departments of workers' education have even been incorporated into some of our State universities; in some countries in Europe—for example, in England and Denmark—workers' education has been supported by State funds and recognized as a proper and necessary function in the department of public education.

Let us look at the official memorandum of educational policies put out by the Federal office. What is workers' education and what has it done to draw down upon its head such vituperation?

Workers' education offers to men and women workers in industry, business, commerce, domestic service, and other occupations an opportunity to train themselves in clear thinking through the study of those questions closely related to their daily lives as workers and as citizens. The instruction program is based on an attitude of scientific inquiry in the light of all the facts and implies complete freedom of teaching and discussion. Its purpose is to stimulate an active and continued interest in the economic problems of our times and to develop a sense of responsibility for their solution.

Is it subversive, I ask you, for the American citizen to take an interest in what his Government is doing, to discuss the economic and social issues, upon which he is periodically asked to express an intelligent opinion? If democratic government is ever to function successfully, certainly the citizen must be equipped to understand and analyze problems of public importance intelligently and rationally. But why restrict this commendable educational program to one group of citizens as if they were a class apart? I heartily agree with the school superintendent who said, "This should be done for everybody."

As a matter of fact, it should be and is being done for everyone—workers' education is only one phase of the whole field of adult education. But at the present moment separate and special provision must be made for those men and women who have been unable to finish formal schooling, but who are, nevertheless, mature people, as vitally interested in

current affairs as any college graduate, and with far more practical experience.

For these people, for whom the average college extension course and public lecture is so much shibboleth, couched as it is in technical, academic phraseology and dealing with topics which have little relation to what the worker wants to know or learn, special educational facilities must be set up. The curriculum offered is not considered in any sense to be a substitute for classes in the elementary tools of reading, writing, and arithmetic or training in technical skills, but to supplement this practical discipline with the equally necessary training in social intelligence and citizenship.

The program works quite naturally in close cooperation with the recognized representatives of organized workers—the labor unions. It frankly recognizes the right of the worker to determine his own educational needs and to plan his own educational program. Although approximately half of the classes are held in public-school buildings, nearly all the others meet in labor temples and union halls. Advisory committees are made up of not only public officials and educators, but leading labor leaders. New responsibilities acquired by the labor movement demand an informed and trained leadership to carry them out.

Last year over 40,000 men and women workers were enrolled in these classes in 30 States in the Union. These classes were jointly administered and supervised by the State relief administrations and the State departments of education. Letters of endorsement and resolutions of approval from educators, social workers, labor leaders, students in these classes, and nationally recognized professional organizations and social organizations, are public evidence that the people of this country and their elected representatives are fully aware of the implications of this program and are vigorously supporting it.

I wish to inform you of the very splendid work being accomplished in my State through the workers' education program—

Writes the State superintendent of public instruction in a big Middle Western State.

In my opinion the workers' education program in our State is the most vital part of the emergency education program—

Is a statement which may be duplicated in every State in which the program is being carried on.

The secretary of a State employees' association writes in:

Students of these classes have been instrumental in avoiding major industrial difficulties. They are a stabilizing influence in workers' groups.

Organized labor is also behind the program, a State Federation of Labor writes in endorsing the Federal projects—

In my opinion these classes are rendering incalculable service to the masses of this country in teaching the workers many of the fundamentals in which they are so lacking.

The emphasis of the curriculum is on the social sciences—current social and economic questions—as they particularly relate to the problems of the workers and workers' organizations. Classes in American history, practical economics, economic history, community problems, government and social legislation, the history of the labor movement, industrial and labor problems, international affairs, are offered. That these involve the discussion of controversial issues is obvious; in my mind it would be deeply regrettable if they did not. Would Mr. Hearst deny that the fundamental purpose of education was not to produce citizens understanding present-day problems? How can the worker or any other citizen make intelligent decisions on matters of current policy if he is denied the opportunity to study and discuss these questions?

The social sciences may not be exact sciences but they may be studied in the true scientific spirit of impartial inquiry. Particularly in dealing with facts of a controversial nature it is important that information from every source and from every point of view be investigated. Freedom of teaching and the impartial discussion of all points of view is implicit in a workers' education program. Yet it is exactly this determination to avoid the least possibility of partisanship or indoctrination which arouses the most bitter



indignation on the part of the "red" baiters. They point to the fact that the Federal office sends out recommended reading lists on which the names of liberal and radical pamphlets and organizations appear. I have seen one of these so-called seditious bibliographies. Let me quote from the preface:

In order to insure that discussion may be based on facts and not on vague impressions, this office attempts to inform its instructors of available material on pertinent questions of the moment, written from various points of view. An attempt is made to list material which will present the authoritative points of view of each and every group concerned.

If you read the bibliography, you will find that, with what seems to me admirable impartiality and restraint, such organizations as the American Liberty League and the American Library Association are listed side by side with the American Federation of Labor and liberal organizations such as the American Civil Liberties Union. On another page, as the alphabet is no respecter of personal preference, you will find the Chamber of Commerce of the United States followed closely by the Cooperative League of the United States. Further reading shows that the majority of sources listed are such impeccable fact-finding agencies and community organizations as the United States Department of Labor, the Department of Agriculture, the United States Office of Education, the Russell Sage Foundation, the Foreign Policy Association, the Methodist Federation for Social Service, the Federal Council of Churches, and the Young Men's and Young Women's Christian Associations. In another bibliography, under a section called Current Trends, you will find not only a book published by the Socialist Rand School Press, but what our shocked critic did not choose to mention, Mr. Henry Wallace's *New Frontiers*, and last but not least Mr. Herbert Hoover's *Challenge to Liberty*. No one surely can honestly deny the right and imperative need of every citizen to obtain all the facts in a given situation in order to make an intelligent and sane choice between visionary and unsound utopias and constructive social progress. Is it possible to prevent the mass of people from obtaining these facts in any case? History is too full of examples of the colossal failures of censorship, indoctrination, and the suppression of free speech in preventing the people from "hearing the other side."

This is the program that Mr. Hearst would have us believe is surreptitiously teaching hatred of American institutions, class strife, and the destruction of democratic liberties. Let me refer to these articles—they appeared in the *Washington Herald* on February 23, 24, 25, and 27, and were syndicated broadly throughout the country. They purport to be the result of "an exhaustive personal study" made by one of Mr. Hearst's agents describing a training center for teachers in workers' education carried on at the University of South Carolina, Columbia, S. C., and a camp for unemployed women located at a Y. W. C. A. camp outside of Smyrna, Ga. As a newspaperman, surely Mr. Hearst is slipping—his agent never saw any of the projects he so glibly described! He did not get down there until long after they had closed!

Where does he get his information, then? Primarily, he says, from two W. P. A. relief teachers who resigned in disgust after discovering, they say, the foul doctrines they were forced to teach. One of these teachers actually furnished a signed statement that the program was "nothing but a propaganda machine for communism." This discovery was so intolerable to her that "when camp was over I telegraphed my resignation to the W. P. A." As matter of record, after camp closed this woman was approved for a W. P. A. job and taught in one workers' education program. She wired her resignation, curiously enough, 2 days before Hearst's reporter had interviewed the State officials in Georgia. Mr. Hearst's other informant is quoted as saying that "when camp was over I just didn't go around to the W. P. A. any more and went out hunting a job on my own." Another deliberate lie—as the record shows that this teacher was also continued on the program until she obtained a regular teaching position in the public schools.

The article goes on to state that the camp was carried on "under the sole supervision of Federal officials sent down

from headquarters at Washington", that the State W. P. A. "had no control over the program." May I presume to give Mr. Hearst a little elementary information regarding the organization of the Works Progress Administration? This camp was one of 43 similar camps for unemployed girls sponsored not by the Education Division but by the National Youth Administration. Complete responsibility for the organization and supervision of this project as well as other youth programs rested with the State youth director. The director of the camp and all the teachers were appointed by the Georgia State youth director. The statements that this reporter claims to have obtained from State officials to the effect that "they had nothing to do" with the camp are pure unadulterated cheap fiction. Field representatives from the Federal office served only as advisors. The Federal office of the Workers' Education only approved the director recommended by the Georgia officials and merely drew up a suggested curriculum outline. This outline was also followed in every one of the other 43 camps and included classes in home economics, health education, arts and crafts, recreational activities, as well as classes in civics, American history, current events, and social problems.

The training center referred to as a "hotbed of radicalism" was also one of 24 similar schools carried on for the most part at State universities in 21 other States and in Puerto Rico. The courses taught dealt only in the very simplest terms with elementary economics, political science, current events, and rural problems. At the close of the 7-weeks' term the teachers report that the students were only just beginning to get some slight understanding of what organized-labor movement means. The instruction was of such an elementary character that by the time the center closed the social-science classes had only just started to discuss the history and problems of the labor movement. "It was only on the last 2 days that we thought we ought to tell the students what such words as socialism, fascism, and communism meant", says the director. The topic of Soviet Russia was not discussed in any lecture or study group. The background and experience of the teaching staff—graduates of their local State colleges, public-school teachers with splendid records, social workers, Y. W. C. A. secretaries—is sufficient proof that they could hardly have been the fiery young revolutionaries they were supposed to be.

The chief burden of Mr. Hearst's complaint seems to be that this school was "kept so quiet" that no one knew it was going on. As his source for this astounding statement he quotes a certain Ben S. Adams, member of the State legislature. Would it be too impertinent to ask where Mr. Adams has been keeping himself? Again it is a matter of public record that the school was visited by officials of the State department of education, of the W. P. A., of the Rural Resettlement Administration, the State industrial commission, leading labor leaders, and even the Governor of South Carolina—not to mention speakers from the local Y. W. C. A., local churches, and other community organizations. The president of the State Federation of Labor visited the classes on many occasions. Visitors were never barred from classes nor was work halted on appearance of visitors.

The camp is described as a "concentration" camp, shut off from the world by a 100-foot deep chasm, spanned only by a narrow footbridge. This bridge, which is stated was the only entrance to the camp, was always guarded and visitors denied free access to the camp. This is not only a completely inaccurate statement but surprisingly stupid reporting. It is so easy to prove it is not true. This camp happens to be an old Y. W. C. A. summer camp, which was lent to the Youth Administration, and was not changed, rebuilt, or converted in any way. The footbridge was by no means the only entrance to the camp—there was also a main automobile road.

"We were especially warned against reporters. All unauthorized visitors were kept at the administration building" is another statement intended to show that every attempt was being made to keep the program secret. Of course, no organization or public institution permits newspaper state-



ments or interviews to be given except through official channels. The directors of both the camp and the school were asked by the State W. P. A. administrators to make this clear to the girls. Furthermore, visitors were quite naturally asked to come to the office first before listening in on any class. Those asking permission to visit the classes were gladly shown around. This request is commonly observed in any school, public or private, inasmuch as effective study or class work cannot be subject to casual interruption from curious visitors.

Although the same accusations are leveled at both projects, no concrete instances are given. It is plain that Mr. Hearst can find no substantiation of his charges that communism was taught in any of the course outlines given at either the school or the camp. His reporter is forced to the absurd length of saying that "the 'glories' of communism were whispered to the girls at night", that communistic literature was privately and secretly circulated among the students after class hours, that a customary evening feature of camp life were what he so ludicrously calls "cozy-corner chats on communism." "Guitars and banjos plunked out the Communist marching song." He quotes one teacher as saying that "I played *The Internationale* until I was blue in the face." *The Internationale* was never played or sung once; in the first place it is much too difficult, and in the second place the background of the two teachers in charge of music at the training center is "insurance" against communism in their teaching. One of the student teachers of music is the sister of a prominent Episcopalian bishop in the State; the other sings as a soloist in the Methodist Church. Furthermore, the glee club sang in several of the local churches. The singing of radical songs is vehemently denied by instructors and students at both the camp and the school. The camp songbook includes among many hymns—incidentally two church services were held every Sunday at the camp—such songs as *Annie Laurie* and *America, the Beautiful*.

In insets designed to catch the most casual reader's eye, Mr. Hearst plays his trump card—quotes the titles of allegedly communistic books which were recommended to the camp girls and to the students at the training centers. One of these radical books is a volume by Sherwood Eddy, entitled "*The Challenge of Russia*." It is enough to turn to the opening lines of the preface of Mr. Eddy's latest volume on Russia and read, "My latest visit to Russia confirmed and deepened my conviction regarding the four chief evils of the Soviet system—that it would make it quite impossible for me ever to accept it", to realize the absurdity of this charge. Incidentally the introduction to this atheistic and seditious book is signed by the dean of Canterbury Cathedral, England. That there were books and pamphlets presenting discussions of current social and economic questions from radical and liberal viewpoints has never been denied. There was never any attempt to hide this fact. But that there was literature presenting every point of view, that many of the books in both the camp and the training center were borrowed from the public libraries and the State universities, and that the choice of books included such innocuous reading as the fiction of Zane Grey and Gene Stratton Porter, our friend did not have the honesty to point out.

These are the facts, gentlemen, you can take your choice—the word of a self-exposed liar against the word of hundreds of students, teachers, and public officials. They say that communism is not being taught through the workers' education program. If any such thing were being fostered by the State departments of education and the local school officials among 40,000 American workers, we would have heard about it, certainly it would not have been left to Mr. Hearst alone to rescue the Constitution from the menace of communism.

I would be the first to object to indoctrination or propaganda of any kind—conservative, radical, sectional, or religious—but freedom of discussion in the classroom and the right and necessity of every citizen to obtain all the facts and hear all the sides of current social issues, controversial or otherwise, is our only defense against indoctrination, against intellectual hysteria, against ignorant and foolish decisions—our only guaranty of sane and sound self-gov-

ernment. The attempt to imply that the correction of existing economic injustices and abuses cannot be secured, or that a better social order cannot be built, by democratic means is obviously a Fascist attempt to discredit any social reform or change. [Applause.]

Mr. POWERS. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, there were three vehicles of recovery adopted by the present administration for the purpose of bringing the country back to a normal condition. First, there was the N. R. A. and then came the A. A. A. Both of those measures were torpedoed by the Supreme Court.

The third and most complete surrender of power by Congress was the passage of the Trade Agreements Act of June 12, 1934. Under this act the President was authorized to enter into trade agreements with foreign nations and he might do so without the concurrence of the Senate and House. Never under a limited monarchy and certainly not under any existing form of popular government was any such power ever delegated to the Executive. Under this power and by virtue of these treaties, the pattern of America, as regards industry and agriculture, is being changed. Neither the Senate nor the House of Representatives have any part in the making of these trade agreements which to my mind spell certain disaster to the future of America.

The President having sought for and obtained this power as one of the major items of his plans for recovery, of necessity delegated it to the Secretary of State, Hon. Cordell Hull. I yield to no man in my admiration of the high character, sincerity, and ability of the distinguished Secretary of State. But when Cordell Hull gets into the realm of tariff and international trade agreements he becomes a mystic and a dreamer.

The distinguished Secretary believes that the salvation of America will come through free-trade relations with the rest of the world. If you will read his speeches and writings on this subject, you will see my point. He believes that it is the duty of America to surrender its markets to the world so as to bring about "peace on earth and good will to men." He believes that through the instrumentality of these trade agreements, by which American agriculture and American industry are thrown to the wolves, an international golden rule will be brought about not only in the economic but in the political world.

Placing these treaties under his auspices is like giving command of the Army to an avowed pacifist or giving a Quaker command of the Navy. Nor is that all of the story. In turn, Secretary Hull delegated the mechanics of this treaty-making power to Prof. Francis Sayre. Again the destiny of agriculture and industry passed to the control of an internationalist who obviously believes that political internationalism is just around the corner, if he can write the tariffs of America.

Prof. Francis Sayer was born and bred in an international atmosphere. He, too, believes that all nations will live in peace if trade barriers are abolished. He believes that it is the function of America to lead the way, to point the road, and give the example by opening up our great American market to the world. To his mind, every treaty made is a successful one, provided the other country is happy. The Republican Party, historically, differs with him on that. Quite a large section of the Democratic Party, notably those from New England, differ from him on that proposition. It is elementary that our standards of living are different from those abroad. They are higher. We cannot compete with the Japanese, for example, although Professor Sayre believes that we can. Today, therefore, we have writing these treaties two men whose idealism cannot be questioned but who are definitely no match for the realistic, shrewd Dutchman, the able Canadian, and the materialistic representatives of the other nations who sit around the table and make these treaties, largely in secret. Now, I am for idealism in life and morals so far as they are consistent with the preservation of national rights. We need this type of man in our civilization, but America has never before placed the dreamer and idealist in command. Other countries have this type in



abundance, but did you ever hear of England or of France placing their economic internationalists in the driver's seat on issues like these?

May I give you an example of the way England handles this sort of thing? J. Maynard Keynes, a distinguished English economist, prescribed a spending policy to the British Government when England was in the depths. The government in power listened to him politely but ignored his suggestion. Mr. Keynes came here to America, stayed overnight at the White House, and sold the President of the United States that policy. Under that policy we have spent billions of dollars. Yet today the American Federation of Labor says that we still have over twelve and a half million unemployed. England has achieved recovery by following her traditional method of balancing her budget and curtailing expenditures.

The distinction between the English type of self-contained government and ours is that while they listen to the idealists and the professors, they place practical men at the helm in all their undertakings. With these prefatory remarks I want to speak briefly on the subject of the Canadian pact.

I hold in my hand a book written by Professor Sayre, who was the man behind the gun in the making of this treaty. This book is entitled "America Must Act." I am not going to charge that Professor Sayre did not write this book. I have charged on the floor that some of the ornaments of the administration did not write the books bearing their names, but that they were written by ghost writers. In this case I assume and believe that Professor Sayre did write this book.

This book is printed at the expense of the World Peace Foundation, an international organization of good people who believe as Professor Sayre does, that the salvation of the world can be accomplished and that the lion will lie down with the lamb if international trade agreements are carried into effect.

The outstanding American authority on this proposition is George N. Peek. He is not a professor but was a leading and successful industrialist with vast experience in large affairs. Mr. Peek has been a sympathetic student of agricultural affairs for many years. He held various posts under the present administration and enjoyed the close friendship of President Roosevelt. His special endeavor has been to build up the market for agriculture, both at home and abroad. Mr. Peek is a real patriot and a sound American. He fought a brave battle for the American farmer against the flabby internationalism of Secretaries Wallace and Hull. President Roosevelt took up the cudgel for his Cabinet members and Mr. Peek retired from public service. To my mind, Mr. Peek is the best equipped man in America to handle the matters involved in these treaties, especially where they relate to agriculture. Some days ago the distinguished gentleman from Ohio [Mr. HARLAN] made some remarks on the floor in reference to the Canadian pact. At that time I wrote Mr. Peek and I requested him to give me his opinion on the discussion. I am in receipt of a letter from Mr. Peek on this question which seems to me to be very much to the point. So that the Members of the House may have an opportunity to read this, I am including it in my remarks:

GEORGE N. PEEK,  
600 INVESTMENT BUILDING,  
Washington, D. C., March 7, 1936.

HON. FRANCIS D. CULKIN,  
House of Representatives.

DEAR MR. CULKIN: Referring to our telephone conversation, I have examined with considerable care Mr. HARLAN's speech in the CONGRESSIONAL RECORD of March 4.

In his discussion of trade balances with Canada, Mr. HARLAN appears to have confined himself to the figures on merchandise trade and to have taken no account of the striking changes in our trade and financial relations with Canada and with the rest of the world which have come about in recent years as a result of such factors as increased prices paid by us for gold and silver. The extent and trend of these changes is shown in the attached tables, table I covering visible trade with Canada.

Following the break-down of international exchanges, gold and silver have ceased to function largely as balancing items in international trade and have become in effect merely highly salable commodities which are exported and imported like other commodities.

The United States Treasury apparently has acted on this basis in its purchases of silver on the London open market and in its

recently reported direct negotiations with Mexico, Canada, and with South American countries for the purchase of newly mined silver. In fact, it might be said that the changed position of gold and silver in international trade has been generally recognized by authorities in this country and abroad, except for the special group in the administration immediately charged with the negotiation of the so-called reciprocal-trade agreements.

It appears to me utterly fallacious in formulating or discussing a trade policy to ignore this changed position of gold and silver in our foreign trade. The failure of the administration to take it into account in negotiating the Canadian and other trade agreements has been one reason for my opposition to the present trade-agreement program. I would make much the same criticism of Mr. Harlan's defense of the Canadian agreement. If, as I believe, the premise upon which the present policy was framed is false, the whole structure of the so-called trade-agreements program would appear to be undermined.

If we are to offset these items of gold and silver in our trade with Canada and with the rest of the world under present conditions, we shall have to do it by maintaining a large favorable balance in merchandise trade, by limiting imports, and increasing our exports greatly. Accounts have to be settled. Increasing general imports merely makes the task of settling our accounts that much harder. If we do not settle them by merchandise shipments, we shall have to do it by transferring to foreign nations capital assets now held by us. This latter course involves the establishment of a degree of foreign control over our economic life and resources which may well prove highly undesirable.

You are at liberty to use the contents of this letter and the memorandums in any way you desire.

Very truly yours,

GEORGE N. PEEK.

TABLE I.—Recorded exports and imports

Year	Goods sold to Canada—excess of exports over imports	Silver bought from Canada—excess of imports over exports (—)	Gold bought from Canada—excess of imports over exports (—)	Total—excess of exports or excess of imports (—)
1929.....	\$444,900,000	—\$4,000,000	—\$73,500,000	\$367,400,000
1930.....	256,800,000	—4,300,000	—6,900,000	245,600,000
1931.....	130,100,000	—3,000,000	—81,200,000	45,900,000
1932.....	67,200,000	—1,300,000	—64,600,000	1,300,000
1933.....	25,400,000	—500,000	—19,900,000	5,000,000
1934.....	70,800,000	—500,000	—86,600,000	—16,300,000
1935.....	37,000,000	—12,200,000	—95,200,000	—70,400,000

The foregoing letter and table illustrate the fallacious arguments being advanced by Secretary Hull and Professor Sayer on trade balances.

I make bold to say that the Canadians got everything they wanted in these treaties. Canada is an agricultural country, and she obtained substantial concessions for agricultural and forest productions. The theory on which these concessions are made was that we in turn would obtain larger markets in Canada for our productive machinery. Professor Sayer apparently did not know that all of the American larger plants have production units in Canada, and so his expressed belief that we will sell more productive machinery to Canada necessarily dies aborning.

The weird thing about the whole performance is that while agriculture, particularly dairying, is betrayed by this agreement, he permits the system of British Empire preference to remain undisturbed. It follows, therefore, that the products of the British Empire will have a preferential status in the Canadian market. Already the results of this treaty are apparent. It is now certain that more than \$50,000,000 additional increase of agricultural products will come here in the year 1936. The dairymen of America have already seen the price of cheese broken and their losses already run into \$10,000,000. The cattlemen of America have also been sold down the river. They are coming to realize that. This treaty was in violation of the platform pledges of the Democratic Party and of the pre-election speeches of President Roosevelt. In his Baltimore speech of October 26, 1932, the President said:

I know of no effective excessively high duties on farm products. I do not intend that such duties shall be lowered. To do so would be inconsistent with my entire farm program.

In that speech he expressed his firm belief that—

The future of industry depends upon establishing a market for American-made goods among American farmers.

This Canadian treaty will retard recovery. It will destroy the buying power of the farmer in the North and East and, in turn, will retard the recovery of industry. This agree-



ment is a definite breach of the covenant made by the President to American agriculture when he was running for office. At the time of the promulgation of this treaty the President stated that if it had a disastrous effect on any branch of agriculture that he would recall and annul any section of the treaty which brought about such results. The time has come for him to make his word good. Under his informal arrangement with Premier King, of Canada, he has that power. He likewise has that power under the Trade Agreement Act. If the President intends to be true to his campaign promises and to those made at the time of the promulgation of the treaty, he will cancel and abrogate this treaty that spells certain disaster to so many of his own countrymen. If he does not do so the situation spells certain disaster for him in the next election. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I do not blame the business people of the country, the bankers, the insurance companies, and all those people anxious to see our country prosper for having the jitters at the present time. My correspondence—and I think the correspondence of every man on this floor—will show that they are frightened to death at the suggestion of the taxes about to be laid. Now, I want to relieve this feeling to this extent: Various reports have been circulated as to what the Ways and Means Committee may or may not have done. I am going to convey to the House—and I hope to the country—the information that they have not done a blamed thing, not a thing. They are making progress rapidly backward, as I said yesterday. We have not yet caught up. The subcommittee studying these questions, listening to the so-called experts of the Department, have not yet got to scratch. Now, I will leave that matter there for the time being; and I hope, as a result of this remark, which I think can be verified, there need not be quite the worry at present, but there will be worries. I am not trying to relieve the feeling of worry and jitters that the suggestion of these taxes has brought throughout the American business world. The element of uncertainty is very trying, but there is no immediate prospect of a new tax bill.

Mr. Chairman, the real problem before Congress today is not how to get more taxes, but how to spend less money. This is the way to gratify and satisfy business and the country as a whole. Taxes now are plenty high enough to raise sufficient revenue for the necessary needs of Government, including adequate relief. I am perfectly astonished, Mr. Chairman, to see how the taxes have increased during the present administration.

I have in my hand some sheets of statistics. I wish I could elaborate on the whole picture that is before me, but here is a partial list of the taxes which aggregate \$1,272,100,000 laid by the present administration. That does not cover, of course, their expenditures, but the taxpayer is being bled today to the tune of \$1,272,000,000 more than he was when this administration came into existence.

Let me recount a few of these taxes: The A. A. A. Act went through, of course, because orders came up from downtown that it should. The processing tax, so-called—it is no compliment to the Democratic Party that \$543,000,000 was expected to be raised from this unconstitutional tax in the year 1937, according to the Budget estimate. The N. I. R. A. totals up for capital stock and excess profits and dividends, \$168,000,000; liquor tax, \$9,700,000; the Vinson excess-profits tax of 1934, \$1,000,000.

The coconut-oil tax is omitted, which amounts to something like \$35,000,000, but does not come into the Treasury. Then we have the Silver Purchase Act, the National Firearms Act, the tobacco tax, and so forth, all bringing in some revenue. The Social Security Act, it is estimated, will tax the American people in 1937 \$433,200,000.

Mr. DOUGHTON. Will the gentleman yield?

Mr. TREADWAY. I must yield to the chairman for a brief question.

Mr. DOUGHTON. Did the gentleman vote for or against the Social Security Act? As I recall it, the gentleman spoke against that bill and then voted for it.

Mr. TREADWAY. I had to vote for it. I did not have a chance to do anything different. Now, please do not interrupt me. If the gentleman wants to make a speech in opposition let him secure his own time.

Mr. DOUGHTON. The gentleman yielded to me.

Mr. TREADWAY. The gentleman forced us into a hole. What else were we going to do? Do not bring up such a foolish question as that. That is all there is to it, and the gentleman knows that to be a fact.

Mr. DOUGHTON. The gentleman is very inconsistent in his position.

Mr. TREADWAY. If the gentleman desires, I will put in the Record the remarks I made in connection with the Social Security Act at the time of its consideration by the House.

Mr. DOUGHTON. The gentleman spoke against that bill and voted for it, all in the same day.

Mr. TREADWAY. The gentleman knows how anxious I was to vote against it. As the chairman of the Ways and Means Committee has brought this matter up before, I will insert here exactly what I said at that time.

On April 12, 1935, during the consideration of the social security bill in the House—page 5529 of the CONGRESSIONAL RECORD—I said:

If legislation of this nature is to be passed by Congress, there should have been four separate bills instead of one, divided into two categories. \* \* \*

In the first class are titles I, IV, V, and VI, granting aid to the States for old-age pensions, for the care of dependent children, for maternal and child welfare, and for public health. They carry with them an appropriation for each of the various purposes, which will aggregate less than \$100,000,000 the first year. I am in favor of all of these titles.

On April 19, the day the bill passed the House, I moved to recommit it to the Ways and Means Committee with instructions to strike out titles II and VIII, and increasing amounts for the items I favored. Failing to have this motion adopted, no other course was open to me than to vote for the bill.

I do not yield any further for any such purpose. Now, I yielded as one Member to another, expecting a respectable question from the chairman of the Ways and Means Committee.

Mr. DOUGHTON. I was simply asking the gentleman how he voted on that particular question.

Mr. TREADWAY. I do not yield any further. Mr. Chairman, who is running this party, the gentleman or me?

Mr. DOUGHTON. Will the gentleman yield?

Mr. TREADWAY. I do not yield. If the gentleman has a respectable question to ask, I am always courteous and will yield to the chairman of the Ways and Means Committee.

The CHAIRMAN. The gentleman from Massachusetts will proceed.

Mr. DOUGHTON. Will the gentleman yield?

Mr. TREADWAY. I yield to the chairman of the Ways and Means Committee for a proper question.

Mr. DOUGHTON. If asking the gentleman civilly how he voted on a question, which is a matter of record, is not a respectful question, what would be a respectful question?

Mr. TREADWAY. Mr. Chairman, I want to return to the question of the amount of available money from taxation. I hold in my hand the balance sheet from the Treasury Department dated March 9, 1936, which shows, Mr. Chairman, a favorable, unexpended balance of \$5,988,451,000. That is an unexpended balance. If anybody can come in here, even the President of the United States, and justify to the Congress a request for \$620,000,000 more of tax money, with an unexpended balance as of March 9 of \$5,988,000,000, I should like to have the explanation.

Mr. KNUTSON. Well, there is a campaign coming on.

Mr. TREADWAY. The gentleman from Minnesota [Mr. Knutson] injects the remark that there is a campaign coming on, which is true. It is a very strange feature that all



previous tax measures from the beginning of this administration to the present have been written downtown. I am a member of the Ways and Means Committee. These bills are put into our hands after being prepared downtown by the folks in charge of the New Deal, until a week or 10 days ago, at which time the President of the United States made a very illuminating request for \$620,000,000. He said: "Congress, you go and find that money. I want to spend \$620,000,000, and you boys up there on the hill can find it for me. I have spent the money. You provide it." The only exception to this was the bill to stop the leaks, which was given careful study.

The reason the President puts this disagreeable job onto the Congress of the United States is, as the gentleman from Minnesota stated, because there is an election coming on, and he wants the burden on Congress, not himself.

Mr. TABER. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from New York.

Mr. TABER. Does not the gentleman expect that a bill will come here from down town before the committee concludes its report?

Mr. TREADWAY. It is the only way, evidently, that we are going to get anywhere. We have not made any progress in 2 weeks of subcommittee sessions to date, and I do not think I violate any confidence in making that statement.

Mr. DOUGHTON. Will the gentleman yield?

Mr. TREADWAY. Yes; for a question.

Mr. DOUGHTON. Did I understand my colleague and friend to criticize the President for sending down bills already drawn and then criticizing him for not doing the same thing?

Mr. TREADWAY. I will be very frank and say to the gentleman that I criticize him either way. I will criticize him going and coming. There is no doubt about that. He is very inconsistent, because for 3 years he has prepared these tax measures, and now just previous to an election he tells the Congress to prepare them.

Now, what does some of this money consist of that is now unexpended? The Emergency Relief Act of 1935 included the language "to increase employment by providing for useful projects."

Useful projects! The gentleman from New York [Mr. TABER] yesterday listed a large number of useless projects. Why not begin some of our economy here and show the lack of need of a tax measure by cutting out, as the gentleman so well recommends, measures that total \$574,000,000 of unexpended future costs? They are most useless projects, and yet the only right under the relief appropriation bill is to expend them for useful projects.

I have here the official report of the President of the United States on the Emergency Relief appropriation, and I call the attention of the House to the fact that out of the \$4,880,000,000 only \$2,400,000,000 has actually been expended. Of the rest, just half as of January 1, 1936, is listed under these euphonious titles, unobligated allotments, unallotted allocations, allocations available for project authorizations and warrants pending. This makes up the balance.

If anybody can explain to me what these various colored things here represent beyond the green [showing the cut], I shall be very pleased to listen to him in his own time.

The next is more or less a confirmatory program. This pointer here shows expenditures of \$1,800,000,000, and the next pointer goes to \$2,400,000,000. These are obligations. The rest of it is unobligated, and still we are called upon to go into session here for the purpose of making up extravagant tax bills.

Mr. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield for a brief question.

Mr. BOLTON. I want to inquire if it was not to these unobligated funds that the gentleman's amendment referred at the time the payment of the bonus was before us?

Mr. TREADWAY. There is no basis for the statement on the part of the administration that the tax is necessary because the bonus must now be paid, when at the same time there is \$5,000,000,000 available to pay the \$1,200,000,000. I

agree perfectly with the gentleman that there is no need of a new tax measure so far as the payment of the bonus is concerned.

Mr. BOLTON. As I recall, the gentleman suggested at that time that these unobligated funds be used for that purpose.

Mr. TREADWAY. We had unobligated, according to the synopsis of December 31, \$2,340,000,000 of unexpended balance according to these official records. As of December 31, 1935, \$2,627,000,000. In other words, there is \$2,000,000,000 of unexpended balance out of the \$4,880,000,000 of emergency appropriation more than this new tax bill calls for. So why bother about this new taxation?

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield for a brief question.

Mr. KNUTSON. The gentleman must not forget that the total operating expenses of the Government last year were \$1,000,000,000 greater than the total receipts from all our farms.

Mr. TREADWAY. It is worse than that, I will say to the gentlemen. Our operating expenditures have been more than \$2 for every \$1 of receipts of all kinds in the Government. That is worse than just segregating the agricultural part of it.

Mr. KNUTSON. Does not the gentleman think it is pretty bad when 6,000,000 farmers have to work to support the Government?

Mr. TREADWAY. I go further than the gentleman himself goes. Why these reciprocal tariff treaties bringing in agricultural products at half-duty rates in order to crowd our farmers off the map?

Mr. KNUTSON. How are we going to be good neighbors without giving away our markets?

Mr. TREADWAY. We are not going to be internationalists if we can help it. We are going to kick like thunder if we have to be. This is my attitude: I think there is no question about what kind of people are running this Government. They are theorists and they are internationalists, and they are running us in the hole every day. [Applause.]

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I yield the gentleman from Massachusetts 5 additional minutes.

Mr. TREADWAY. I should like to call further attention to some of these useless projects that the gentleman referred to yesterday. We cannot impress the public too strongly with this definite feature of useless expenditure of Government funds.

The appropriation stated for necessary relief—necessary and useful. None of this is useful, and the gentleman from New York could have elaborated on this list and about doubled it.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. CULKIN. Does not the gentleman believe that the purpose of a good many of them is political?

Mr. TREADWAY. They are worse than that; they are for patronage; and in order to get a job you have to belong to the right party.

Mr. CULKIN. And were they not made with a view to carrying the next election?

Mr. TREADWAY. Passamaquoddy is such a perfect illustration of that fact that we do not need to look any further. We do not need to go to the western country and see the Coulee Dam or the South to see T. V. A., but look right in New England, near where I live, and see if you can find the slightest use for the millions of dollars that have already been expended on that project. I saw some pictures of it the other night, and they are going to have some very nice residences there. I wish they had taken some of that money and built additions to private homes somewhere else.

Mr. CULKIN. Did not the Passamaquoddy project carry the last gubernatorial election in that State, and was not that what it was for?

Mr. TREADWAY. I am told very straight by politicians in Maine that it will not carry the next one, even if the President assigns some of the unobligated money for that project,

although Congress has refused to do it. I think this is a prophecy that will be fulfilled in their September elections.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes; very briefly.

Mr. KNUTSON. The gentleman from New York is mistaken when he states that these projects are all political. For instance, the dog hospital down in Tennessee is not political, because dogs cannot vote. [Laughter.]

Mr. TREADWAY. Those who built the buildings can vote, I suppose.

Mr. STACK. Will the gentleman yield?

Mr. TREADWAY. Is the gentleman going to support the dogs?

Mr. STACK. I wanted to inquire if this is a dog fight or a Republican fight?

Mr. TREADWAY. We are going to have a political fight along in November, and that is where we will be glad to meet you.

Mr. TABER. Will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. TABER. Does the gentleman know that we have a meritorious project to establish a golf course on the city dump at Pueblo, Colo.?

Mr. TREADWAY. Well, this public golf course may give some of our prominent Democrats an opportunity to get more exercise and be in better physical and mental trim, because they have an awful job before them after Congress adjourns. I think Pueblo is undoubtedly a good place to build a golf course, but a public dump might be a poor place to play in hot summer weather.

Mr. WOODRUFF. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman.

Mr. WOODRUFF. The gentleman has stated that there are many useless expenditures of money. Does the gentleman believe the construction of thousands of a certain type of out buildings throughout the Southern States are entirely useless?

Mr. TREADWAY. That question is rather a delicate one. I might say that probably they are useful, but they need not be so highly ornamented; I understand that the roses are blooming there, and I do not think that is required for the utilitarian purposes for which they are proposed to be used. [Laughter.]

Mr. MILLARD. Will the gentleman yield?

Mr. TREADWAY. Yes; I yield.

Mr. MILLARD. Referring to the dog kennels, I should like to ask the gentleman if that put the "dog" in "boondoggling"?

Mr. TREADWAY. There is so much "boondoggling" that it would require a long account to check it all.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CULKIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include a brief letter from George M. Peek and some brief tables.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWERS. Mr. Chairman, we have no further requests for time on this side.

Mr. SNYDER of Pennsylvania. No further requests on this side.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the legislative branch of the Government for the fiscal year ending June 30, 1937, namely:*

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

My distinguished friend from Massachusetts [Mr. TREADWAY] who just preceded me has gone through the ordinary sniping tactics that we must undergo during the remainder of this session, and which have been conducted by some Republican Members since the session began. The people of the country are awake to the realization that this is an election

year and that this is the year when all kinds of tactics are employed, particularly sniping tactics, and that it is all a part of the game. I say this impersonally, because naturally politics is played intensely here, and while some do not engage in sniping tactics, it is recognized that that is the policy in which some do engage.

The gentleman from Massachusetts talks about the deficit. We had a deficit of over \$5,000,000,000 during the administration of former President Hoover—not a deficit to relieve human suffering and distress but a deficit in the conduct of the ordinary departments of the Government.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. SNELL. The gentleman knows very well that that statement—

Mr. McCORMACK. Oh, do not give conclusions, but ask me a question.

Mr. SNELL. I ask the gentleman, if the present administration will keep the books the same as they were kept under the Hoover administration, whether we will not find the deficit of this administration more than double the deficit of the last one?

Mr. McCORMACK. If the gentleman will permit me to proceed, we had a deficit of \$5,000,000,000 plus during the Hoover administration, incurred in the conduct of the ordinary activities of the Government and despite the fact that in 1930 we passed a tax bill raising \$1,641,000,000 each year thereafter, and if we had not passed that tax bill, the deficit of the Hoover Administration would have been \$8,000,000,000 plus, in the conduct of the ordinary and necessary departments of the Government.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SNELL. Did the present administration not continue those same taxes?

Mr. McCORMACK. Exactly.

Mr. SNELL. Then it had the benefit of it.

Mr. McCORMACK. The gentleman is right; but I am talking about the deficit of the Hoover administration of \$5,000,000,000 plus, not one penny of which was incurred in an effort to relieve human suffering and distress, but every penny of which was incurred in the ordinary conduct of the departments of the Government.

Let us analyze a little further what is the cause of the deficit of this administration. The Budget for the ordinary appropriations and expenditures is balanced. This deficit has been incurred as a result of this administration appropriating money, for the first time in the history of our country, for direct aid to relieve human suffering and distress. I respect the opinions of those who say that this should not be done, but I differ with them. I differed with the last administration in its position that the Federal Government should not make such direct appropriations. Simply because the Federal Government had not made appropriations before in its history for relief of its people is no reason why the Federal Government, under the circumstances that existed 3 years ago, should not have made such appropriations. Local government and local charities could not carry on. They had carried the burden for 3½ years courageously and were unable to meet the relief problem and demands that confronted this country on March 4, 1933. Millions of human beings, American citizens, but human beings, were facing starvation. Humanity demanded something be done, if no other call demanded it. Humanity called for the Federal Government to exercise its power, its influence, its functions, to prevent starvation, to relieve human suffering and distress, not only of its own people, but of human beings, living persons; and the Federal Government under this administration responded.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LAMBETH. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Massachusetts be extended 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.



Mr. McCORMACK. The Federal Government responded not only to relieve human suffering and distress, which was prevalent, but what about the emotional reactions that would have been the natural and probable consequence with millions of American citizens facing that condition? Does anyone think they would have calmly sat by? Could it be expected that they would calmly sit by? Think of the husband and father coming home to the wife and children looking with longing eyes to see if he had a job. The man was willing to work, but was the victim of a disturbed economic system over which he had no control. He was not responsible for it, but was the victim of it, just the same as all who desired work and who were unemployed are the victims of our disturbed economic system. When he went home, what about the hope, and what about the despair, when the father and husband told them that he was not able to obtain employment. Fifty years ago in the depression of 1873 to 1878, when the conditions were not as crowding upon us as they are today, there was force and violence; there was the burning of factories, the burning of railroad stations and railroad trains. There was an emotional reaction on the part of the suffering unemployed that some particular machinery had taken their job away and there was a desire to destroy that which they thought was preventing them from obtaining employment, which has displaced human labor.

There are gentlemen on the Republican side who voted for direct aid, and who are entitled to credit, just as much as gentlemen on the Democratic side. I do not rise in any spirit of partisanship, but the fact remains that the leadership came from President Roosevelt. He courageously and humanely recommended, and Members courageously and humanely voted, not only to relieve human suffering but to prevent emotional reaction. What about undernourishment and its effects? Does that stop with one generation? Is it not transmitted on? With millions of mothers and fathers, with the arrival of children of undernourished parents distributed throughout the country, the results of undernourishment are passed on. One of the factors we inherit and that is passed on from the parents to children is a weakened physical condition where it exists among parents. It does not stop with one generation. It goes on for two or three generations. I know whereof I speak.

The potato famine in Ireland in 1846, 1847, and 1848 brought about a general condition of undernourishment which is not over yet, prevailing among those of Irish blood with a high tubercular mortality rate existing until recently. I know whereof I speak, being an American of Irish blood. The results of undernourishment do not stop with one generation; they go on for several generations. When we give relief we are not only meeting the problem of human distress, we are not only preventing human emotional reaction, but we are trying to prevent the harmful effects of undernourishment, not only to individuals affected but to the Nation.

I agree that the straight dole costs less. I will agree that work relief costs more; but let us analyze that honestly and fairly. I will agree that many projects are unnecessary, but we must not forget the basic principles—of relief and of work—in order that millions of Americans who are capable of employment may maintain respect for themselves and that there will not be a general demoralizing effect which is harmful to our Government. When we emerge from this depression, with millions who want to work and capable of working having been on a dole, the natural and probable consequence of that condition is bound to be demoralizing. There is bound to be a lowering of respect, or the results will be in that direction. That is going to be harmful to the Government itself. While the immediate result is a greater expense because of the work-relief program, nevertheless, over a long period of time, I claim it is better for the Government to have millions of people working and retaining their self-respect than to receive what the conscious mind will immediately and directly realize—a dole. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has again expired.

Mr. SNELL. Mr. Chairman, I move to strike out the last two words.

The gentleman from Massachusetts [Mr. McCORMACK] started to make a speech because he said he wanted fair play in politics. Now, I am willing to have fair play. I am not opposed to some political statements, but if there has ever been a political statement made on the floor of this House during the present session, the gentleman who just preceded me has made that statement. If there is any man who has tried to capitalize human misery, it is in the statement just made a few moments ago.

Now, in trying to be fair, the gentleman made the statement that nothing was done whatever out of the ordinary during the Hoover administration, and that new taxes were levied. There were over a billion dollars of out-of-the-ordinary expenses during the last 2 years of the Hoover administration. Not only that, but the new taxes that were put on during the Hoover administration were continued under the present administration, and they have increased those taxes a billion and a quarter in addition.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes; I yield.

Mr. McCORMACK. Did the billion dollars to which the gentleman refers go into Reconstruction Finance Corporation activities?

Mr. SNELL. Your various new activities put over a billion dollars of new and partly covered up taxes on the people, and you have continually put out the statement that no new taxes have been levied by the present administration upon the American people. Those statements have been put out through the newspapers.

Mr. McCORMACK. But were there any emergency appropriations to relieve human suffering and distress?

Mr. SNELL. Oh, you always talk about emergency relief and human suffering. That argument, as far as you are concerned, covers all your misdoings, but you have about worn it out. We are just as much interested in the average poor citizen as you are, and have done more for him during all the years than you have, but you take all the credit to yourselves and claim that no one else has ever thought of that. I challenge you to furnish any statement made by any reputable Republican whereby we were opposed to honest needed relief.

Mr. McCORMACK. Well, was any appropriation made?

Mr. SNELL. Yes; there were. I do not yield further now. The gentleman would not yield to me when he was making statements in regard to the Hoover administration, which, in my judgment, were not correct.

Mr. McCORMACK. I never refuse to yield to the gentleman whenever I see him.

Mr. SNELL. Now, the gentleman has talked a great deal about relieving unemployment. It has been stated on the floor many times when we have been passing these emergency measures that the proof of the pudding would be the chewing of the string. These emergency measures have been in effect for nearly 3 years, and according to the statement of the president of the American Federation of Labor, you have practically the peak time of unemployment today, notwithstanding all the money that has been spent. In addition to that, Mr. Hopkins said that the relief load was at the peak of all time. Over 20,000,000 on relief and 12,600,000 unemployed at the present time. Those are your own figures. The only thing we are complaining about under the present administration is the actual waste in what you call meeting emergency conditions, and how you have turned it into purely political relief. We are willing to go as far as anyone in feeding the poor and taking care of the needy, but the present administration has and is using these funds for political purposes in every State in this Union.

I had this experience when I tried to get a man a foreman's position in a C. C. C. camp. This was an activity created for the sole purpose of relief. That is, relief for everyone, not political relief only. The copy of this letter, which I am including in my remarks, proves conclusively my statement that this administration has used these relief funds primarily for political purposes. Vincent Dailey, referred to



in this letter, is Mr. Farley's patronage dispenser for the Democratic State Committee in New York State.

UNITED STATES DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE,  
Washington, D. C., August 25, 1934.

I have your letter recommending Mr. \_\_\_\_\_ for the position of forestry foreman at the Benson Mines, New York camp. I shall be glad to send a copy of your letter to the superintendent of lands and forests, New York Conservation Commission, Albany, who is in charge of all forestry camps in the State, and who makes all of the civilian appointments. This office makes none of the appointments in these State camps.

Furthermore, unless Mr. \_\_\_\_\_ can qualify by actual technical training for a technical position at one of these camps, he could not be appointed unless his name appears on the political advisor's list of New York State. This man is Mr. Vincent Dalley. All appointments in New York State, except those of a technical nature, must be made from a list which is supplied by Mr. Dalley. It is possible that Mr. \_\_\_\_\_ might get his name on this list. That would be up to him, I presume, to find out.

I am sorry that I cannot take action which would probably be more in line with what you want, but the Forest Service is obliged to comply, and to ask the States to comply, with the procedure which I have outlined.

Very sincerely yours,

R. M. EVANS, *Regional Forester.*

I also want to say at this time that your Democrat foremen, and so forth, did everything they dared do; used every pressure possible to make the boys enroll locally and vote the Democratic ticket. In places in my district Democrat inspectors of elections enrolled them against the law and we had to appeal to judges of the supreme court to get their names stricken from the enrollment. In the face of this you have the temerity to say we are playing politics.

Just look at the record before you repeat this.

In closing I want to say very definitely that we are willing at all times to join in doing everything necessary for the Federal Government to do to relieve the poor, unfortunate, and needy citizens, but we are absolutely opposed to wasteful use of the taxpayers money and the purely political relief that has characterized the spending of the present administration.

Mr. TREADWAY. Will the gentleman yield?

Mr. SNELL. I do.

Mr. TREADWAY. I would like to ask the gentleman from New York whether he sees any need for a tax bill of \$620,000,000 for the purpose of immediate relief?

Mr. SNELL. That is a hard question to answer and I am not going to try to answer it in my limited time. But before we furnish any more money we should know how much money is on hand at the present time and what the President proposes to do with it.

[Here the gavel fell]

Mr. SNYDER of Pennsylvania. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LUCKEY. Mr. Chairman, I am not going to talk politics. I am going to talk common sense and shall address my remarks to this side of the House.

Economy is a thing to be practiced and not talked about. The people of this country would like to see this Congress practice a little old-fashioned economy. They do not want the penny-wise and pound-foolish type of economy, nor do they believe that we should practice economy by letting millions starve. What all right-thinking people do believe is that we can, should, and must retrench on the so-called housekeeping expenses of government.

Before this session started we heard a great deal about economy and cutting down government expenditures. Some feeble efforts have been made in that direction. Very soon we will be faced with a new appropriation for relief purposes which will take real money. In anticipation of such a necessary and humanitarian appropriation let us chisel down these increases in regular supply bills and for purposes extraneous to the regular functions of government.

We have before us the bill H. R. 11691, making appropriations for the legislative branch of the Government for

the fiscal year ending June 30, 1937. Now, when I turned to the report on the bill, to my great gratification I found that the bill called for a decrease of \$640,092.73 over the appropriation of 1936. But on careful examination of the bill, report, and hearings it became evident that this comparison was the result of adroit manipulation of figures.

The report shows that the appropriation for 1936 was \$23,934,660.73. Now, that total constitutes not only the legislative-establishment appropriation for 1936 but also the funds used for those purposes from the Supplemental Appropriation Act of 1936, the First and Second Deficiency Acts of 1936, and Public Resolution No. 39 of the Seventy-fourth Congress. In other words, we are comparing the regular supply bill against the total of four appropriation acts of last session. If this comparison is to have any standing, it precludes any deficiency or supplemental appropriations with funds for the legislative establishment.

Let us examine just a few sections of this bill. Under the section providing for funds for the Senate we have what is purported to be a \$253,677.18 decrease over the 1936 appropriation. Actually the decrease is only \$5,829, because the 1936 figure includes \$247,848.18 drawn from other appropriation acts. Under the section designated "House of Representatives" there is purported to be a decrease of \$101,602 over 1936. However, the 1936 figure includes \$116,898 drawn from other appropriations. Under the item, "Architect of the Capitol", there is shown a decrease of \$344,738. When I check up on this I find that, of the sum given in the 1936 appropriation, \$2,550,000 was furnished in the deficiency act to air-condition the Capitol, Senate, and House Office Buildings. Fifty-seven thousand and forty dollars came from the second deficiency act for Senate Office Building maintenance, and so forth.

I am not going on and on itemizing these figures. They are in the report where everyone can see them. The question I want to raise is this: If we pass this appropriation act, what assurance do we have that we will not be called upon to make additional appropriations for the legislative establishment in future appropriation bills? If this bill contains all of the appropriation for the Legislative Establishment Act, there is some economy; if not, this is a grand gesture and waste of words when Members take the floor to say that we want to cut down and are cutting down expenditures.

Gentlemen, no one is more sincere than I am in wanting to provide funds for efficient governmental operation and for necessary relief of human suffering, but I tell you here and now that I am opposed to increased expenditures for the regular operation of government and the constant enlargement of those appropriations. I am equally opposed to bookkeeping tricks which tend to measure ever-increasing expenditures with a cloak of false economy. If we are to come out of our present financial difficulties, we must practice rigid economy and thrift, not only as individuals but also as a Nation. And the sooner we do this the better for all of us.

The Clerk read as follows:

For telegraph and telephone service, exclusive of personal services, \$95,000.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 21, line 17, after the word "services", strike out "\$95,000" and insert in lieu thereof "\$90,000."

Mr. TABER. Mr. Chairman, this is to reduce the amount of this item carried in the current bill to the amount appropriated last year. The committee did good work in cutting the Budget estimate of \$115,000 down to \$95,000; but I believe, especially with the prospect of no session during the summer of 1936, we can get along with the amount of money that was appropriated last year. I do not think last year should serve as a criterion, for the session ran right down until practically the 1st of September. I do not think it can be used to justify spending so much money when Congress will not be in session so long.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment.



I would like to call the attention of the gentleman from New York and the Members to page 48 of the hearings, where it will be found that in 1934 the appropriation was \$157,000 and the expenditure \$143,770.68. In 1935 the appropriation was \$105,000 and the expenditures were \$92,504.10.

After careful study and after consultation with the chairman of the Committee on Accounts, your committee fixed the amount at \$95,000 because there is perhaps \$5,000 worth of outstanding message charges that have not come in. It is found that it takes sometimes as much as 5, 6, or 7 months before charges for these telegrams reach the Committee on Accounts from different parts of the United States.

The Budget estimate on this item was for \$115,000. Your committee, after careful study and deliberation, allowed \$95,000 in order that there would be sufficient, but even with this liberal allowance we anticipate there will be a shortage.

Mr. Chairman, I hope the amendment will be voted down.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. SNYDER of Pennsylvania. Gladly.

Mr. TABER. The expenditure of \$92,000 came at a time when the House was in session a good part of July, in the summer of 1934, and at a time when Congress was in session all the way through the months of May and June of the year 1935. The situation that confronts us now is a probable adjournment before the 1st of May. It seems to me this will make an altogether different situation and that we should not appropriate more than \$90,000.

Mr. MORAN. Mr. Chairman, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from Maine, a member of the committee.

Mr. MORAN. The gentleman also could have pointed out that the appropriation now under discussion is for the fiscal year beginning July 1, 1936, and therefore the length of the present session of Congress has no bearing whatever on this appropriation, assuming this session ends before July 1. From page 48 of the hearings on this bill it will be noted that the appropriation for each of the fiscal years 1931, 1932, and 1933 was \$90,000, and the expenditures for those 3 years were \$89,999.75, \$89,960.39, and \$89,989.92, respectively. But note that the appropriation for the fiscal year 1934 was \$157,000 and the expenditures for that year were \$143,770.68. This was due, in a great degree, to the necessity of cleaning up old bills contracted but not paid for during the previous years. The appropriations for the 3 previous years were not sufficient to pay the obligations incurred, and a "clean-up" appropriation to take care of old outstanding bills was necessary. These old bills, it will be noted, were incurred during the period from July 1, 1930, to July 1, 1933. As a matter of fact, it is difficult to keep the bills currently paid, as Members may send telegrams from any place in the country, and it takes weeks and sometimes months for the transactions to clear through the telegraph companies to the House Committee on Accounts, which has jurisdiction. Chairman WARREN, of that committee, is doing a splendid piece of work in seeing to it that only bona-fide official messages of Members are paid for by the Government. The Appropriations Committee is confident that the amount carried in the bill now before the House is the absolute minimum necessary, based on past and present experience, to enable Members to render necessary official service to their constituents.

Mr. SNYDER of Pennsylvania. I yield to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. The gentleman from Maine [Mr. MORAN] was formerly a member of the Committee on Accounts, and no one knows better than he does how very carefully these expenditures are scrutinized and the rather extreme extent, as some of us think at times, the committee goes in disallowing charges for telegrams that are not clearly within the rule allowing them to be sent at Government expense. It does not make a particle of difference, it seems to me, if there is a slight excess of appropriation here because eventually these telegrams have to be paid for anyway. It is just

a matter of bookkeeping. I am convinced, as the gentleman from Maine says, there is not an excess of money in this appropriation to take care of the telegrams that will have to be paid for. Indeed, I think from past experience and from average requirements we may say the appropriation is not large enough. Therefore, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 13, noes 42.

So the amendment was rejected.

The Clerk read as follows:

The Government Printing Office and the Washington city post office shall reimburse the Capitol power plant for heat, light, and power furnished during the fiscal year 1937 and the amounts so reimbursed shall be covered into the Treasury.

Mr. DOUGHTON. Mr. Chairman, I move to strike out the last word.

Mr. DOUGHTON. Mr. Chairman, I was not in the Chamber when the gentleman from Massachusetts [Mr. TREADWAY] my colleague on the Committee on Ways and Means, began his political outburst or oration. However, when I came on the floor I found that he seemed to be very much infuriated and enraged on account of the efforts that are being made by the Committee on Ways and Means to revise the present revenue laws or to write a new tax bill. In the course of his remarks the gentleman went out of his way to criticize the administration rather caustically on account of its procedure with respect to tax legislation and other bills in which the administration has been interested.

The gentleman from Massachusetts made the statement that in the past it had been the custom for the administration to draft the tax bills and send them down to the Committee on Ways and Means for ratification. As my memory serves me, that has not been the custom since I have been chairman of the Committee on Ways and Means, and the gentleman from Massachusetts has been the ranking minority member, during all of that time.

I recall very clearly, and I have no doubt that I can refresh the gentleman's memory, the details of the work of our committee in connection with the tax bill of 1934. That bill closed up the loopholes which had been left open by the previous Republican administrations whereby certain large taxpayers of this country were escaping their just share of taxes, including the Mellons, the Mitchells, the Wiggins, the Morgans, and others. An important work was done by a subcommittee of the Committee on Ways and Means, and the gentleman from Massachusetts was a member of this subcommittee. This subcommittee worked during the entire summer making studies and finally presenting a bill to the House which closed up loopholes and saved the Government, without additional taxes, an amount in excess of \$300,000,000. Only seven votes were cast against this bill on final passage.

Mr. TREADWAY. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. I am only too glad to thoroughly agree with the gentleman's statement that for several months a subcommittee of the Ways and Means Committee worked exceedingly hard to prepare this stop-gap tax bill.

Mr. DOUGHTON. I just yielded for a question.

Mr. TREADWAY. The bill did perhaps plug some holes. But I want to confirm the gentleman's statement that so far as that particular tax measure is concerned, I have no criticism to make whatsoever.

Mr. DOUGHTON. Does the gentleman know of any tax bill or any other important piece of legislation that has been called to our attention by the administration or by the head of the departments of the Government that the committee has not taken the bill, given it careful study, revised it, remodeled it, and changed it to conform to the judgment of the committee? Would the gentleman dare say, as he would have had Members of the House believe this morning, that the Committee on Ways and Means is just a rubber stamp and acts only as a vehicle to carry out the mandates of the administration? I know the gentleman would not want to



reflect on the committee in that way; yet that is exactly what he did this morning.

Mr. TREADWAY. Will the gentleman yield?

Mr. DOUGHTON. I will be more courteous to the gentleman than he was to me. I yield to the gentleman. He can ask me any question he desires. I asked the gentleman this morning about his vote on a certain measure and he flew into a rage. He said I had asked a disrespectful question. I simply asked him how he voted as a Member of the House. He was so excited and so enraged he did not actually know what he was doing.

Mr. TREADWAY. I do not think the gentleman and I need to get into a discussion about the Social Security Act.

Mr. DOUGHTON. The gentleman was vehemently criticizing it as a waste of money. He referred to that great piece of humanitarian legislation as being a waste of money. He went out of his way to make a partisan attack on it, and when I asked the gentleman how he voted in reference thereto he became enraged and said I was disrespectful to him. That is exactly what transpired.

Mr. TREADWAY. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman.

Mr. TREADWAY. If I may proceed just a moment in the gentleman's time—

Mr. DOUGHTON. That is all right. I hope I can get additional time.

Mr. TREADWAY. I shall be only too glad to aid the gentleman in securing additional time. I thought the gentleman was going to ask me something with reference to the remarks I was at the time making on the floor, which he did not do. He asked me about something which happened in April 1935. If the gentleman will permit, I would like to read an extract from the remarks I made at that time, which extract I hold in my hand.

Mr. DOUGHTON. I cannot yield for that purpose. It is a matter of record that the gentleman made a vehement speech against the legislation and yet voted for it the same day.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a question?

Mr. DOUGHTON. If the gentleman from Massachusetts [Mr. TREADWAY] can explain that, I yield to him now for that purpose.

Mr. TREADWAY. I can explain it if the gentleman will give me the chance.

Mr. DOUGHTON. I cannot allow the gentleman to take all of my 5 minutes, but if I have misquoted the gentleman or misrepresented his position, I shall be pleased to yield.

Mr. TREADWAY. I have in front of me the paragraph showing what I said at the time. If the gentleman does not want to yield to me now to read it I will put it in my remarks.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield to me?

Mr. DOUGHTON. I yield.

Mr. BANKHEAD. I was not present when the question was asked by the gentleman from North Carolina of the gentleman from Massachusetts with respect to how he voted on the social-security bill. Did the gentleman from Massachusetts answer the question one way or the other?

Mr. DOUGHTON. I believe the gentleman said we forced him into voting for it, or something of that kind. I believe that was about his response. It was some kind of lame and halting answer that he gave.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. I presume the tax bill was the basis of the gentleman's outburst this morning, although I was not here when he started his speech. The tax bill is now under consideration by a subcommittee of the Committee on Ways and Means. The gentleman criticizes the administration for drafting tax bills, as he alleges, and sending them to the

Congress to have them approved, and then admits that this is one exception where the President, he said, for political reasons, had left it to the Congress and had not pursued his usual course. If that is the case, does not the gentleman think, inasmuch as the President has left the writing of the tax bill to the judgment of the Committee on Ways and Means and to the Congress, not for relief purposes, but to take the place of the revenue lost by the Supreme Court decision declaring the A. A. A. unconstitutional, and also the additional burden placed upon the Government as a result of the passage of the bonus law, for which, I presume, a majority of the Members on the minority side voted, this was not done by the President, but both of these things were brought about by causes other than any action of the President—that is, by the Supreme Court of the United States and by the action of the Congress itself?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I have not much time, but I yield.

Mr. TABER. Did not the result of the Supreme Court decision better the President's 1937 Budget by \$72,000,000?

Mr. DOUGHTON. Oh, I do not know about that; maybe it did.

Mr. TABER. Certainly it did.

Mr. DOUGHTON. That is not under consideration at this time. We all know that this tax bill now being considered to raise the additional revenue requested by the President of the United States is not for the purpose of balancing the ordinary Budget, and would not have been necessary if it were not for the two things I have mentioned. It is not for the purpose of relief, which the gentleman has so severely criticized here this morning. The matter of relief was taken care of previously. This bill is to make up the loss of revenue from the two causes I have mentioned.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield. If the gentleman wants to take up all my time, that is all right.

Mr. TREADWAY. Will the gentleman explain how he regards an unconstitutional levy as something that must be made up?

Mr. DOUGHTON. Is the gentleman opposed to raising revenue to finance the farm program which was enacted by Congress?

Mr. TREADWAY. Does the gentleman want to yield me time enough to answer that question?

Mr. DOUGHTON. Everything that is done by the Congress to aid agriculture and help the distressed and those in need of assistance from the Government always meets the bitter opposition of the gentleman from Massachusetts, and that is what this tax bill is proposed for—to raise revenue to take care of the conditions I have mentioned.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes; I yield; but I want to say this, because my time is about up: Inasmuch as the President has conformed with what the gentleman from Massachusetts thinks should be his policy and has left it to the Ways and Means Committee to originate a tax bill, does he not think it would look better and would be more consistent and more helpful—and I am not calling any names or being personal—if the members of the subcommittee charged with this responsibility that has been placed on our doorstep, instead of making partisan speeches, would sit in with the subcommittee and help write the tax bill? [Applause.] I would like to have this question answered.

It is very, very easy to criticize. Anybody can criticize. Destructive criticism is always easy, but constructive statesmanship is always very difficult; but, thank God, destructive criticism and throwing obstacles in the pathway of the administration cannot stop nor delay the onward march of the present administration in its courageous battles for the people! [Applause.] This is one thing that such criticism cannot accomplish, and I suggest to my friend now that he can employ his time for a much better purpose.

[Here the gavel fell.]



Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I thought I was to have a little time this afternoon before the bill was to be read for amendment. I do want to make one or two observations. It has recently been stated that this particular tax bill is really the answer to the politician's prayer. We, on this side, are criticized by you for lack of constructive criticism. We may, however, be pardoned if we make some comment on your rejoicings over the fact that you can tax only the corporations and not run the risk of losing votes by enacting a bill affecting all the people.

I feel that we shall have to continue to offer our criticisms, although whatever arguments we present will never be regarded as constructive by you on the other side of the House. That could hardly be expected.

But, gentlemen, why have a tax bill now, anyhow? Why have a tax bill to recoup these special losses while showing no concern to enact one to meet other requirements? Why is it that billions can be expended for other purposes and no new taxes to meet them be suggested? The President's vagueness in his explanation of his Budget does not furnish an answer that is very satisfactory to the ordinary person.

Let us borrow some more money, under the Eccles theory that the more money we borrow the more the banks will have and the greater will be our prosperity. Let us create more and more bank deposits by the issuance of bonds, if that is really such an aid to recovery. The more bonds we issue the less interest thereon we seem to pay. These have been your own arguments.

Can it be that you really see the approach of the danger point? Do you begin to suspect the Eccles' theory? Why not continue to issue our notes and create bank credits? When the Government spends the money, others receive it, and it is redeposited, keeping the banks eager to invest it and welcoming more and more Government borrowings. You insist that our credit is excellent. It seems to you that the more we owe the better our credit. That is your claim.

Again I say, if borrowing money brings about the return of prosperity, why have a tax bill? [Applause.]

Mr. SNELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and, as I quoted from a letter, I ask unanimous consent to put in the whole letter.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

#### LIBRARY BUILDING AND GROUNDS

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$46,720.

Mr. DOCKWEILER. Mr. Chairman, I move to strike out the last word. An effort was made a short time ago to reduce the amount of money that is to be supplied for the cost of telephone and telegraph from \$95,000 to \$90,000. The amendment was defeated. I call the attention of the membership of the Committee to the fact that a great deal of money can be saved by Congressmen themselves, as appears from the testimony of Mr. Elgen, chairman of the Public Utilities Commission of the District of Columbia. At my request Mr. Elgen appeared before the Committee to tell us the status of the telephone and telegraph companies with regard to public institutions in the District as compared with private institutions. He informed us that the Government rates are exactly the same so far as telephones are concerned, as the rates charged to private concerns. That is, 1¼ cents per telephone call if it is interdepartmental and 3 cents per call if it is outside or from a department to some person or corporation or institution outside of the Government. He called attention to the fact that very often the secretaries or the Congressmen themselves in the legislative establishment pick up the phone and ask for number so and so. If the call is put in in that way the charge to the Government is 3 cents, but if the secretary of a Congressman will pick up the phone and ask for Government, they get the General Government exchange, which is connected with every department of the Government in

the District of Columbia, and the cost of the call then is only 1¼ cents. I call attention to this fact because literally thousands of dollars could be saved if we would remind ourselves when we pick up the phone and want to get a department of the Government to simply ask for "Government" and get the Government exchange and then ask for the particular department we desire to speak with. Otherwise the call will go through the general District exchange, and the Government will be charged 3 cents for each call.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. DOCKWEILER. Yes.

Mr. CRAWFORD. I think the gentleman has touched on an important question. I find there are two or three very fine organizations here among the secretaries. I have a secretary that I think is highly efficient and he is just as economical as any Scotchman that I have ever met. He does not know anything about that rule or regulation, and we should get that information before these associations of secretaries so that they will put it into operation.

Mr. KELLER. And I would like to know how many members on this floor do know what the gentleman has just told us. I did not.

Mr. BOILEAU. But why should they have such a regulation? If a call originates from my office for the Department of Agriculture, the operator who takes the call ought to know that it is a Government call. Why should the telephone company be permitted to have such a ridiculous regulation?

Mr. DOCKWEILER. There is a modification at the point the gentleman suggests. If the general operator in the basement of the House Office Building is on her toes, she will get the Government exchange, if not, the call will go through the general District exchange.

Mr. BOILEAU. Are not the operators in the House Office Building employees of the House of Representatives?

Mr. DOCKWEILER. They are.

Mr. BOILEAU. If they are so inefficient that they do not put the call through at the cheapest rate, we should put in somebody who will.

Mr. DOCKWEILER. They should, and I am bringing the matter up so that they will know they will not make any mistakes in the future.

The Clerk read as follows:

#### BOTANIC GARDEN

Salaries: For the Director and other personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$86,262; all under the direction of the Joint Committee on the Library.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee in charge of the bill, or any other member of the committee, just what is the function, governmental or otherwise, of the Botanic Garden?

Mr. SNYDER of Pennsylvania. Mr. Chairman, I came to Congress in 1932, and the first thing that struck my attention when I came up Pennsylvania Avenue was this beautiful new Botanic Garden Conservatory. I made some inquiry and found that it was constructed at an expense of a million dollars. I made further inquiry and found that the Botanic Garden started back some 80 years ago. I further found that in the Botanic Garden we have some specimens of plant life that are very valuable. For instance, in 1932 the appropriation for the maintenance of the Botanic Garden was \$174,000. Your committee has reduced that until this year it is only \$115,000. Since the time the new conservatory was built a Hollander was employed who has developed many of the specimens of plant and flower life to a degree that they exceed any in the United States or in the world. Over 100,000 people went into that conservatory last year to view these different specimens. The azalea group we have in the Botanic Garden is rated to be the highest developed and finest azalea group in the world.

Also we have the nurseries at Poplar Point. Poplar Point was taken over by the Government in 1920, and just last year the committee thought of doing away with Poplar

Point, but, after making a careful study, they found that Poplar Point could serve a great economic mission if we would plant some of our plant life down there and transfer it up here after it had grown a year or two, instead of paying big money to get our plant life. For instance, tens of thousands of dollars were spent for shrubbery in landscaping the ground around the United States Supreme Court Building which was finished last summer. If this Poplar Point plant had been developed as it should have been we could have raised all that shrubbery and brought it up here and transplanted it. That is in the process of being done now. I would like to ask the members of the committee to go down to the Botanic Garden at Poplar Point and see the progress that is being made. It would not be fair to do away with the Botanic Garden after all this money has been expended to put it in the fine shape it is, until it has been given a fair chance.

Mr. WADSWORTH. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. WADSWORTH. I have nothing to say against the Botanic Garden, and I am not seeking to contradict the statements that there are some rather valuable plants there, but it strikes me that Congress is going pretty far out of its ordinary function in the maintenance of an agricultural experiment station. It should belong to some other department of the Government.

[Here the gavel fell.]

Mr. SNYDER of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 2 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER of Pennsylvania. Under the law it comes under Congress, and it does not come under any department. It does not come under the Department of Agriculture, for instance. It would be necessary to pass another law before it could be given to the Department of Agriculture.

Mr. WADSWORTH. They do other things down there besides raising valuable plants, do they not? For example, do they deal in cut flowers?

Mr. SNYDER of Pennsylvania. No, sir; no cut flowers whatever. Even the chairman cannot get a cut flower at any time. [Laughter.]

Mr. WADSWORTH. This has aroused my curiosity for a great many years. I have been trying to find out just what governmental function this Botanic Garden performs.

Mr. SNYDER of Pennsylvania. Educational functions.

Mr. WADSWORTH. I am greatly relieved. [Laughter and applause.]

The pro-forma amendment was withdrawn.

The Clerk read as follows:

For the Librarian, Chief Assistant Librarian, and other personal services, \$911,365.

Mr. BLACKNEY. Mr. Chairman, I move to strike out the last word.

I just want to take this opportunity to congratulate this committee upon the very fine presentation they have made in their report and hearings upon the Library of Congress. I know of nothing more important to the welfare of the boys and girls, and even the men and women, of America than this fine library.

I have long been interested in books and reading, and I feel that I know the influence that the reading of good books has been to the youth of the land. For many years it was my ambition to build up a library that would be well-balanced and would fit into one's scheme of life. After many years I have been successful in accumulating more than 6,000 volumes, and I can safely assert that the influence of those books has been of vital importance to me.

Palmer, in his great book on Self-Cultivation in English, aptly says:

He is unwise, however busy, who does not have his loved authors veritable friends in whom he may seek refuge in the intervals of work and by whose influence he enlivens, refines, enriches, and emboldens his own limited existence.

And Milton, in his splendid essay Liberty of Printing, in comparing men and books, says:

Many a man lives a burden to the earth, but a good book is the precious lifeblood of a master spirit embalmed and treasured up on purpose to a life beyond life.

Because of my interest in this subject I desire to call your attention to the fact that the evolution of the Congressional Library in this country has been very remarkable indeed. In 1800 this Congress appropriated \$5,000 as the nucleus of a library. In 1814, as you know, at the time of the British invasion, the Library, which was located in this Capitol, was partly burned. Three thousand volumes of that small library were destroyed. Shortly after that our Government bought from the Thomas Jefferson estate his very fine library of 6,000 volumes, the largest private library then in the United States. Again, in 1851, a fire swept the Library, which was still located in this building. As a result of that fire only 20,000 volumes out of 55,000 remained. Then a peculiar thing happened. It required 13 years on the floor of this Congress in debate, in discussion, and in study to convince the people of the United States and to convince Congress that a library was of great public necessity and, therefore, should be properly housed. Finally, after 13 years of debate, the great Congressional Library, as we now know it, was organized. In 1897 the fine building that we see here, with 14 acres of floor space, with more cubic contents than this entire Capitol, was constructed. Now we in America can look the British Museum Library in the face, we can look the Bibliotheque Nationale in the face, and say that today America has the largest library in the world.

I know of nothing that is of more vital importance to America than a fine library and a fine collection of books. At this time over 7,750,000 books, maps, and charts are in this great Congressional Library.

In 1934 the Congress again started a new addition, which will give 20 acres more of floor space, and an investment of over \$15,000,000 in buildings and grounds alone, aside from the maintenance, and cost of the books, all in the interest of this fine Library.

Originally it was built for the Members of Congress. Now it is called the great university of the American people. Of all things in my Government, I am proud that the Congressional Library exists, not only for the 30,000,000 boys and girls of America, but for our 125,000,000 people, because each year over a million people come here to visit the Library of this country, and receive an inspiration for reading and study that will favorably affect their entire lives.

I just wanted to take the time of Congress for a few moments to express my appreciation of the fine way in which the committee has handled this matter and to say that there is one thing that we can agree on, Democrats and Republicans, that when we build a fine library for America, we are building something that will bring about the perpetuity of the institutions in which you and I believe. [Applause.]

Mr. KELLER. Mr. Chairman, I rise in opposition to the pro-forma amendment. [Laughter.]

As chairman of the Committee on the Library, I simply want to say that I more than enthusiastically endorse what my colleague the gentleman from Michigan [Mr. BLACKNEY] has just said so eloquently about the Library of Congress. The Committee on the Library has legislative charge of the Library of Congress, the Smithsonian Institution, and the Botanic Garden, and is one of the two committees of the House of Representatives which exist by virtue of a law. Our Library and the Smithsonian Institution are known wherever books are known and wherever science is appreciated. We are hereafter, through the cooperative understanding of this body, to have a center from which beauty shall radiate to all the people of our country until the world shall know our Botanic Garden, even as it today knows our Library and Smithsonian Institution. I also want to call the attention of this body to the fact that the Library had to fight its way with this body for every dollar it got until recent years. Now we are all justly proud of our Library of Congress, and



have very properly forgotten the struggles it had to make for the money required to make it great.

We are faced with the same condition at present in relation to the Botanic Garden which for so many years halted and limited the development of our great Library of Congress. Must we go through the same sort of scrimping and pinching which for many years delayed the development of our Library? Certainly not, if the men and women of this body who are blessed with vision shall get a real understanding of what a great National Botanic Garden may mean to our country. Because during the past 2 years a great body of scientists have been studying this subject, a bill has been drafted by them and redrafted to meet this great need. At the next session of Congress this bill will be presented to create a real Botanic Garden the equal and ultimately to be the superior of any other botanic garden in the world, just exactly as today our Library is the superior of any other library in the world.

I want to call the attention of this body to the fact that the idea we have of "getting by" and doing things by "the law of scrimp and pinch" never has got us anywhere and never will. When we do things in the interest of the American people we should do them with a fair understanding of what they mean, and finance them in proportion to their importance. Every country except the United States has botanical gardens worth going around the world to see. This Botanic Garden of ours at present is just a nucleus around which we shall build a real botanic garden, with a system of education in beauty that will be as far reaching as our Library of Congress is in the realm of books. Associated with it will go hand in hand the dissemination of science in relation to the beautification of homes, parks, and playgrounds, that our people may enjoy and profit by the great knowledge we are gathering from the 400 other botanical gardens throughout all the cultured countries of the world in relation to botany and what it means to our civilization.

Mr. Chairman, I could not permit this opportunity to pass without making these remarks. It has been a great pleasure to me to lead the work in forming this bill which is to be presented at the next session of Congress. It will be a bill that will meet the full approval of the best scholars and best thinkers in America. I want this body to have in mind that it will be presented, if not by myself, then certainly by someone else, for the consideration of the next session of this House. [Applause.]

The Clerk read as follows:

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Mr. LAMBETH. Mr. Chairman, I move to strike out the last word.

In view of the remarks relative to the Botanic Garden, and also the Library of Congress, I want to toss an orchid to the Public Printer. I do not know whether it will be furnished by the Botanic Garden or not.

Before doing so, however, I think it is worth while to take 5 minutes of your time to refer to this large establishment down by the Union Station employing 5,500 persons, the largest manufacturing establishment certainly of the Government in the District of Columbia.

I was just looking back over some history, and I found that in 1819 it was provided that—

The Senate and House shall each choose, by ballot, a printer to execute the work of Congress; the printer chosen required to give bond to the satisfaction of the Secretary of the Senate and Clerk of the House, respectively, for the prompt, accurate, and neat execution of the work; and it was also provided that nothing shall preclude the choice of the same printer by the Senate and House.

Then, in 1852:

Congress authorized that a Public Printer be elected for each House of Congress, to do the public printing for the Congress for which he or they may be chosen, and such printing for the executive departments and bureaus of the Government as may be delivered to him or them by the Superintendent of the Public Printing; and the rates of compensation for such printing prescribed.

So the office of the Public Printer was established in the year 1852 primarily to do the printing for Congress, and it has remained under the jurisdiction of the Congress ever since. That is why the appropriation for this work is contained in this bill.

In 1867 Congress authorized a—

Congressional Printer, to be elected by the Senate, who was required to be a practical printer, to take charge of and manage the Government Printing Office under the laws in force in relation to the Superintendent of Public Printing and the execution of the printing and binding, and to be deemed an officer of the Senate.

In 1874—

it was enacted that so much of the act of 1867 as provided for the election of a Congressional Printer by the Senate shall cease and be of no effect from and after the date of the first vacancy occurring in said office; that the title of said officer shall hereafter be Public Printer.

By act of Congress in 1876 it was provided—

that the President shall appoint by and with the advice and consent of the Senate a suitable person to the office of Public Printer.

Here I wish to say that while at the time the Government Printing Office was established it was designed primarily to do printing for Congress, at the present time the printing for Congress is only 20 percent of the total work in the Government Printing Office.

As chairman of the House Committee on Printing, I was invited to appear, and did appear, before the Committee handling this bill while it was considering the item for the Government Printing Office. I therefore had the pleasure of listening to the Public Printer present the facts substantiating his recommendations to your committee, and the privilege of extending a few comments of my own.

The work of the world's largest printing plant is worthy of consideration from many angles, but in my limited time I will attempt to touch on only three of them—first, the volume of work it handles; second, the efficient manner in which it is managed; and, third, the service it performs for the other branches of the Government.

Some idea of the volume of work performed may be grasped from the following figures taken from the Public Printer's Annual Report covering the fiscal year ending June 30, 1935:

Ems of type set.....	2,241,746,000
Book pages printed.....	2,361,459
Actual press impressions.....	984,590,000
Postal cards printed.....	1,857,152,220
Money-order forms printed.....	228,187,000
Copies of job work.....	4,847,444,000
Publications distributed.....	428,950,907
Charges for completed work.....	\$16,465,431
Salaries and wages.....	\$10,797,879.20

The office is now carrying a burden approximately 25 percent greater than that carried during the war period. To mention only a few items, there has been an increase of 863,359 in the number of book pages printed, an increase of 103,907,000 actual press impressions, an increase of 705,165,220 in the number of postal cards printed, 87,308,000 more money-order forms printed, 1,174,522,000 more copies of job work, and a jump in the number of publications distributed from 55,001,603 in 1918 to 428,950,907 in 1935.

This increased production has been taken on in a plant which has been overcrowded and unscientifically arranged for the last 20 years. It happens, I may say, that one of the buildings still being occupied was purchased during the administration of President Lincoln, and is, I think, the oldest public building in the District of Columbia. It would long since have been demolished as a fire hazard if it were not the fact that it is a public building.

Public Printers since 1913 have been recommending legislation authorizing a new building for the Government Printing Office, but it was not until the present Public Printer, who so clearly saw the reasons and necessity therefor, placed the proposition before Congress with such logical and unanswerable argument that the request was granted. The authorization for the building was contained in the act of August 12, 1935, Public, 260, which made \$2,000,000 immediately available for expenditure, with a limitation on the



total amount to be expended in connection with the construction of the building of \$5,885,000.

It is estimated that with the new building—which we hope will be under way by May 1—the Public Printer will be able to reduce the Government's printing bill by \$850,000, or approximately 5 percent. Some of the major items on which savings will be made as a result of the construction of the new building are:

1. The elimination of repairs to old buildings..... \$25,000
2. Reduction in night work..... 200,000  
(By the most advantageous use of additional floor space which will be provided by the new building, it is estimated that the day production can be speeded up to the point where it will be possible to reduce the night work by the figure indicated.)
3. Warehouse rent..... 15,000
4. Senate and House folding-room expense..... 10,000  
(By providing space in the new warehouse for the folding rooms, this amount can be saved in rental and trucking expense alone.)
5. Reduction in freight-handling charges..... 100,000  
(The new warehouse is to be so constructed that freight cars will be run directly into it. This will mean that all incoming paper stock can be taken direct from the car to the stockroom and, in the case of postal-card and money-order stock, directly to the production room, as the trucking from freight yards to the Government Printing Office will be unnecessary. Paper will be shipped on skids, rather than in boxes. This will not only facilitate the handling of the paper but will keep the paper off the floor and will eliminate the waste caused from dust and dirt and the damage incident to unboxing and unpacking.)
6. Savings by straight-line production..... 500,000

Sufficient space will make possible the placing of machinery on the floor and in the group where it belongs. Due to lack of space—and to prevent as far as possible dangerous overloading—it is now necessary in some cases to place machines in sections other than those in which they belong—sometimes in another building and two or three floors above or below their proper location. This, of course, results in much extra handling, which can be eliminated in the new building by placing machines in their proper locations and by eliminating the unnecessary handling involved in getting the work through the plant at the proper time.

The outstanding saving, therefore, will result from the improved arrangement of the plant and the equipment therein, planned by a Public Printer who, as a result of 28 years' actual experience which has covered all phases of the industry, knows how to plan such a plant as the Government Printing Office, will be in order to get the best results from straight-line production.

The \$850,000 I just quoted as the possible saving which will result from the occupancy of the new building was arrived at by reducing the conservative estimates to a most conservative figure; but even if this sum is cut approximately in half the saving will still be sufficient to liquidate the investment in the building, if properly managed, within 10 years.

Added to the increased amount of work which the Government Printing Office has been called upon to perform in overcrowded quarters, the working hours of the employees have been reduced from 44 to 40 per week, and the pay cut has been restored. These increases in labor costs have been absorbed without any appreciable increase in the prices charged by the Government Printing Office for the work it performs for the other departments. This was made possible, of course, by the numerous economies effected by the Public Printer in the method of handling the work. Some of these changes are:

The adoption of a universal metal for all typesetting machines, in lieu of the former method, which involved the use of a separate metal for each class of machine.

The discarding of brass leads and rules, which will result in economy, as all of this material will now be made in the office and the elimination of the brass will render unnecessary the hand sorting of all discarded type.

The adoption of the point system in all type measures, which is the established system in all commercial plants and that around which all typesetting machines are built.

The adoption of a new printing-ink formula in order to give a greater coverage of surface and a quicker drying ink. The quicker drying ink is of great assistance in handling rush work.

The method used in making composition rollers for all printing presses has been changed. This new process is giving much longer life to the rollers.

The installation of modern casting boxes, which will be used in casting flat stereotype plates.

The installation of automatic self-inking proof presses, which will permit the taking of dry, instead of wet, proofs in the printing sections of the office. Dry proofs not only facilitate proofreading, but they provide much clearer proofs for the departments.

The Public Printer is installing a modern cost-finding system, which will enable him to determine the actual cost of each operation performed in the plant and the value of the material produced by the operation. This will enable him to fix his prices more intelligently and will be of inestimable value in arranging to handle the work in the most economical manner.

The Public Printer outlined to the committee many other important changes which he has made in the Government Printing Office. These, and also a more detailed description of the changes I have mentioned, will be found in the hearings held on the bill now under consideration, beginning on page 258.

I said I would touch briefly on three points. I believe I have covered two—volume of work and efficiency in management—as well as my time will permit. The third is the service the Government Printing Office renders to the Government as a whole. The demands upon the establishment are astounding. We have to look no further than the CONGRESSIONAL RECORD for an illustration of one of the big jobs performed by the Office. I never fail to appreciate the fact that I can receive a copy of the RECORD, regardless of the number of pages it may contain, by 7 o'clock in the morning, and to realize at the same time that maybe some of the copy did not get into the hands of the Public Printer until midnight; that he has 37,000 copies in addition to mine to get ready and mail out, and that the RECORD was only one of a hundred rush jobs he was trying to get through the plant at the same time. It has often been said that, taking into consideration the time allowed for printing and the condition of the manuscript sent to the Government Printing Office, the CONGRESSIONAL RECORD is the most accurate publication in the United States. To illustrate further some of the pressing demands made upon the Public Printer for service, I want to cite a few specific cases which have come to my attention as vice chairman of the Joint Committee on Printing and as chairman of the House Printing Committee.

On the afternoon of Friday, February 21, an order was received from the Treasury Department for 100 copies of a brief for the use of the Board of Tax Appeals. The order was accompanied with advice that delivery must be had by Monday morning. The brief made 539 pages. Type was set, proofread, corrections made, and the job was printed and delivered by the time requested, in spite of the fact that Saturday, a holiday, and Sunday intervened.

Another example of the service which the Office extends to the departments is the recent order for 2,230 nickel-faced, blocked electrotypes for bonds and Treasury notes, which were to be printed in the Bureau of Engraving and Printing. The copy reached the Government Printing Office at 6:30 p. m., March 3, with the request that sufficient plates be ready by 8 a. m., March 4, to start the presses and that the entire job be delivered at the earliest possible moment. One hundred and five plates were delivered at 8 a. m. the next morning; 464 more were delivered during the day; and the remaining 1,661 plates were delivered at 9 p. m. that day—a total of 26½ hours from the time the copy was delivered to the Government Printing Office—and the handling of this job did not interfere with or retard the making of plates for the CONGRESSIONAL RECORD or the other rush work of a similar nature.



Two orders were received from the Bureau of the Census, aggregating 31,830,000 copies of a card 6 by 4 inches, which was to be printed and punched with a hole at the top of the card. The cards were to be tied in packages of 1,000, making 31,830 separate packages. The orders were completed in approximately 30 days.

The Works Progress Administration ordered 8,750,000 copies of a form 6 by 16 inches to be printed on seven different colors of paper. The forms were to be printed, perforated, gathered, and made into pads of 25 sets each, and delivery was required at the earliest possible moment. The order was received February 3 and was completed February 20.

That the service rendered to the departments by the Public Printer is of great assistance to them in carrying out their functions is indicated by the numerous letters of appreciation he receives from the department heads.

In order to illustrate to you the tenor of these letters I am going to read into the RECORD three of them taken at random from the Public Printer's files. Time and space limit my selection to three.

AMERICAN NATIONAL COMMITTEE,  
INTERIOR BUILDING,  
Washington, D. C., December 18, 1935.

Mr. AUGUSTUS E. GIEGENGACK,  
The Public Printer, Washington, D. C.

MY DEAR MR. GIEGENGACK: You and your organization are entitled to a warm word of thanks for the splendid appearance of the program for the forthcoming World Power Conference.

Those who had charge of preparing the manuscript tell me that they received courtesy at every turn from your staff. The outcome certainly reflects credit on everyone connected with it. It is one of the most impressive public documents that I have seen.

Speaking for the executive committee, please accept our cordial appreciation and very warm thanks.

Yours very sincerely,

MORRIS L. COOKE,  
Chairman, Executive Committee.

UNITED STATES TARIFF COMMISSION,  
Washington, February 12, 1936.

Mr. A. E. GIEGENGACK,  
Public Printer, Government Printing Office,  
Washington, D. C.

MY DEAR MR. GIEGENGACK: I desire to convey to you the official thanks of the Tariff Commission for the notable assistance given us recently by your office in printing for prompt distribution the report entitled "Recent Development in the Foreign Trade of Japan, Particularly in Relation to the Trade of the United States." Upon hearing from our secretary the need for prompt action in this case, you placed the facilities of the Government Printing Office behind this job in such a way that the finished edition of a book, running into 207 pages, much of it statistical tabulations, was in our hands in a few days after we placed the manuscript with you. This exceedingly prompt service enabled us to place the printed report before the Members of Congress and the heads of the executive establishments very shortly after the new congressional session opened. We consider your part in it a distinct service in the public interest.

Sincerely yours,

ROBERT L. O'BRIEN, Chairman.

FEDERAL EMERGENCY ADMINISTRATOR OF PUBLIC WORKS,  
Washington, October 25, 1935.

Mr. AUGUSTUS E. GIEGENGACK,  
Public Printer, Government Printing Office,  
Washington, D. C.

MY DEAR MR. GIEGENGACK: I wish to express my deep appreciation for the assistance rendered the Housing Division of the Public Works Administration by the Government Printing Office in connection with the preparation of specifications for 26 housing projects.

When it became necessary to issue specifications immediately for these projects, it was found that the mimeographing facilities of the Interior Department were so overburdened they could offer no assurance of quick delivery, and we were therefore compelled to request your organization to handle the major portion of the printing upon exceedingly short notice. Your response was complete cooperation.

The printing was complex and the copy submitted to you was, of necessity, not in the best possible form; notwithstanding this, your Office accepted the assignment with sympathetic understanding and proceeded to complete the task in splendid style, working day and night as well as on last Saturday and Sunday.

I wish particularly to commend Mr. William A. Mitchell and Mr. R. W. Teague, the chiefs of the day and night forces of your Planning and Job Composing Divisions, as well as their subordinate employees.

Sincerely yours,

HAROLD L. ICKES, Administrator.

But to my mind one of the most outstanding illustrations of the service rendered by the Public Printer is the work he performed in connection with the printing of the applications for payment of adjusted-service certificates. The Veterans' Administration placed an order with the Public Printer for 6,000,000 copies of the application as soon as the act authorizing the payment of the adjusted-service certificates became law. The Public Printer furnished a proof of the job to the Administrator the day the order was received, and the next day 2,000,000 copies of the application were delivered to the Veterans' Administration Building. The entire order was completed in less than 48 hours after it was received. The Administrator, General Hines, was so impressed with the job that immediately upon receipt of the applications he addressed the following letter to the Public Printer:

VETERANS' ADMINISTRATION,  
Washington, January 29, 1936.

HON. AUGUSTUS E. GIEGENGACK,  
The Public Printer, Government Printing Office,  
Washington, D. C.

MY DEAR MR. GIEGENGACK: Reference is made to Veterans' Administration requisition no. 550, for printing 6,000,000 copies of form no. 1701, known as the application for payment of adjusted-service certificate.

Your personal cooperation in the production of this large quantity of printed matter in 2 days is a service to the Veterans' Administration and to the veterans of the World War which is highly appreciated.

Needless to say such an accomplishment is most creditable to your organization, and I take the liberty of asking you to convey my thanks to all who rendered such valuable and timely assistance to the Veterans' Administration.

Sincerely yours,

FRANK T. HINES, Administrator.

In conclusion, I desire to add that the affability and personality of the present Public Printer have made him very popular with the employees of the Government Printing Office. His knowledge of the printing industry gained from 28 years of actual experience, part of which was gained as mechanical superintendent of the Stars and Stripes, published in France for the A. E. F. during the World War, has given them confidence in his ability to manage properly this large establishment. This fact, coupled with his well-known reputation for fair dealing, has improved the morale of the employees to the extent that it has been possible to accomplish the results which I have just mentioned.

Mr. AMLIE. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I desire to talk briefly at this time about the provision covering the legislative reference service. We in Wisconsin count the late Dr. Charles McCarthy as one of the great sons of that State. Dr. McCarthy was the founder of the idea of a legislative reference library for the use of legislators in this country. The legislative reference library at Madison, Wis., was operated for many years under his direction, and after his death it continued under the supervision of Mr. Edwin Witte, who has been executive director of the President's Committee on Economic Security. I mention this background because legislative reference libraries have been established in many States and also in the Congressional Library at Washington patterned after the original library in Wisconsin. But, unfortunately, in many places where the Wisconsin idea of a vital, functioning legislative service has been copied, it has merely become the case of "the letter of the law killeth but the spirit maketh to live."

I have the feeling that the legislative reference library here is completely failing to accomplish the purpose for which it was established. I have frequently had occasion to call the legislative reference library for facts on various matters that have come up for our consideration. Invariably the type of information that I have received from them is such that they apparently do not know what it is all about.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. AMLIE. I yield to my colleague from Wisconsin.

Mr. SAUTHOFF. I can supplement the gentleman's statement by saying that not only did they not know what it was all about but they could not handle the subject, and I



had to write home to our own legislative reference library in order to get what I wanted.

Mr. AMLIE. May I ask if the gentleman received what he wanted after writing to Madison, Wis.?

Mr. SAUTHOFF. On each occasion.

Mr. AMLIE. I have had the same experience. I have had occasion several times to write to the legislative reference library at Madison and have been able to secure the information that I desired and have not been able to get similar information from the legislative reference service in the Congressional Library.

The library in Madison, Wis., does not have as large an appropriation as the legislative service branch of our own Congressional Library. The appropriation is much smaller, although I cannot give the exact figure.

Mr. Chairman, I feel the difficulty here is that the work is being done apparently by people who do not realize for what purpose they are clipping papers and accumulating information. I feel it is a situation where perhaps a man under civil service has been charged with the administration of a function to which he is not equal.

I venture to say that very few Members of Congress make any use of the legislative reference service in the Library of Congress; and still if this legislative service were able to render the type of assistance to legislators that was contemplated when this service was created, I am sure that each and every Member of this body would have frequent occasion to call upon the legislative reference service for assistance.

I am not making this statement with the intention of criticizing the present administration. As we all know, the Congressional Library is under civil service, and for that reason; calling attention to the failure of this department to function as intended, cannot be considered as actuated by any spirit of partisanship.

While the performance of routine duties can properly be left to civil service, it has often occurred to me that the performance of tasks requiring imagination and initiative must be kept upon a different basis. The trouble with the civil service is that there is a tendency to reduce all these tasks to a purely routine basis. For this reason there has been a tendency on the part of the legislative reference service to delve into inconsequential matter for the sole reason that vital questions were also controversial, hence to be avoided, as a means of escaping criticism and holding onto the pay roll.

Unfortunately, if the legislative reference service is to perform a real function it must of necessity deal with facts that relate to highly controversial questions.

After all, this is the very reason that a legislative reference service was created. It was created in the belief that a great deal of saving in time and energy might be effected, if a legislator could go to some nonpartisan agency and secure reliable information.

This is certainly the way that things have worked out in Wisconsin. Many legislators have come to the statehouse with notions about facts that were wholly erroneous.

Many of these men, however, were wholly honest and sincere. Many of these men have taken their problems up with the director of the legislative reference service or one of his assistants, who in many instances have been able to dispel some of these erroneous ideas with consequent gain to the public and everyone concerned.

I have had occasion to look at the report of the Librarian of Congress. There is listed in this report a record of the subjects to which the employees of the legislative reference service have devoted themselves during the past year. In my opinion, most of the subjects listed have had nothing to do with vital, controversial questions.

The reason for this, in my opinion, is due to the fact that information of this kind cannot be secured from the legislative reference service.

I am not urging that the appropriation for the legislative reference service ought to be stricken out of the bill. Nevertheless I do wish to state that we are not getting value for the \$92,990 that we are spending for this service. In my

opinion, my own experience with this department in the Seventy-second and the Seventy-fourth Congresses has been such as to lead me to the inescapable conclusion that the whole department ought to be completely reorganized under competent direction.

I have never met the acting director, Dr. Schulz, although it is only too apparent to those of us who are familiar with the workings of a well-managed legislative reference service that there should be a complete reorganization in the legislative reference service of the Library of Congress.

I do not know whether the employees of that service are competent or not, but I want to say that the civil service should not be made the means of maintaining incompetents in office. Whether it is the director who is incompetent or the personnel, should make little difference insofar as the Members of this body are concerned. For our purpose it is sufficient to know that we are entitled to competent legislative service and that we are not getting it and have not been getting it.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I was very pleased to hear the gentleman from North Carolina speak about the Government Printing Office.

The Congress has had some experience in naming various officials to positions for a long tenure of office. For instance, take the Comptroller General, whose term is 15 years. Although the gentleman is a Republican, I do not think there is a Democrat in the House who would not say that the Government has been fortunate to have a man like Mr. McCarl in the position he has held for 15 years. [Applause.]

We have appointed men on the Board of Tax Appeals for 10 years. We have appointed men on various commissions for 8 and 10 years. Beyond question, this has proved to be very beneficial. Some of the men appointed have been Democrats and some have been Republicans, but it makes for better efficiency when the right men are kept in large and important Government agencies.

Mr. Chairman, the Government Printing Office is a great institution. As the gentleman from North Carolina says, over 5,000 people are employed there. The former Public Printer held office, I think, for over 8 years. With all due respect to that gentleman, practically all his experience he secured right here in the Capitol as clerk of the Joint Committee on Printing. The present Public Printer, Augustus E. Giegengack, has been in the printing business for 30 years. I never met the man in my life until a few nights ago when I ran into him at a social affair. I have, however, as chairman of the Committee on Expenditures, had some business with his office and I have read the hearings relative to his accomplishments. I did not even know what State he came from until I looked it up. What I have learned is that he is a man with experience—business and executive experience—and as a result it has already been demonstrated that the President made no mistake in selecting him for this very important office.

I learn that at the age of 25, 7 years after he entered the printing business, he was in charge of the printing division of a large mail-order house. During the war he was in France and he handled the production of the Stars and Stripes, which had a circulation of over 500,000 copies. Two hundred enlisted men were in this establishment. Since 1920 he was in business for himself, so you see that he came to the Government with years of experience, including 2 years as president of the International Printing House Craftsmen, and responsible positions with other organizations.

If this man continues to make the record he has since he assumed office less than 2 years ago, it seems to me that it would be well for the Congress to keep him in his position. Mr. LAMBETH has told you the savings he has brought about, and there is no doubt that you have a happy family at the Government Printing Office. We all know the trouble the former Public Printer had with some of his employees. I am not criticizing Mr. Carter's service, but for some reason he just did not get along smoothly with the employees. He



issued some regulations that I did not approve of, including the one that prevented an apprentice from being married while serving as such. I am very glad the present Public Printer has set that order aside.

I repeat, Mr. Chairman, that in some of these great agencies, where practically every employee is subject to civil service, it would be well for us to consider keeping a man who shows his efficiency on the job, and not remove him every time there is a change in administration.

The gentleman from New York [Mr. REED] smiles. I assume he smiles because the present head of the Government Printing Office happens to be a Democrat. I may say that there is a man at the head of the Bureau of Engraving who is a Republican, who has been retained in his present place by the Secretary of the Treasury.

Mr. REED of New York. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from New York, as I mentioned his name.

Mr. REED of New York. I believe there is a man by the name of Huse connected with the Government Printing Office, and he has been there many, many years. I do not know what his politics may be. I was smiling, not in opposition to the gentleman's statement but because I thought of the fine record this man Huse has in the Government Printing Office. I happen to know him personally.

#### FEDERAL REGISTER

Mr. COCHRAN. Mr. Chairman, I now want to call attention to a part of the committee report. I am pleased to note that the subcommittee did not give the Federal Register all the money asked for. You say you are putting them on trial, or, rather, to see if the Register is justified.

The statement is made in the report that it will be determined whether or not this is a necessary activity. Although it was an unusual procedure, I introduced a bill to repeal the Federal Register Act before it ever went into effect.

Mr. Chairman, I request every Member on the floor of the House to decide this question from his or her experience. Let us take the question of mail, and I get as much mail I believe as any Member. We do not receive a request for a Government regulation more than once a month, and we do not receive a request for copy of an Executive order once in every 6 months. Now, here is the situation. This Federal Register is going to be printed 5 days a week, just like the CONGRESSIONAL RECORD. Did you know that? It is going to cost the Government this year several hundred thousand dollars. In my opinion, there is absolutely no necessity for it. You say you are going to give it a trial for 8 months. At the expiration of that time you will find how many people have bought the Federal Register. Check up on that. The public will be charged \$1 a month for it. I learned that much the other day. Now, who is going to pay for this Federal Register in the long run? The Treasury of the United States is going to pay for it, and not the individuals who buy it, because we are not going to be able to sell it so that it will be self-supporting. Remember that statement next year and see if I am right. Mark what I say, I warn you to watch this activity. It is just another Government agency created by the Congress that is going to grow, grow, grow.

One reason why it is going to grow if you do not watch it is because you did not put the positions under civil service. You permitted appointments from outside the civil service, not only for the Federal Register but for the Archives. For both the Archives and the Federal Register you will have a force next year of over 250 employees, none under civil service.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. I may say right now that I do not propose to vote, whether my party is in power or not, to put people in a permanent Government agency without regard to the civil service, because every time you do you make a

serious mistake. [Applause.] The Republicans have done this just like the Democrats. When you are in power you make the same mistake the Democrats do. We have both made these mistakes.

If there should be a change in administration, what is going to happen? Just as soon as the change occurs they will be looking for jobs, and these permanent Government agencies where the appointments have been made without regard to the civil-service laws will be cleaned out and more political appointments made. How are you going to operate with any efficiency a permanent Government agency when you clean house every time there is a change in administration? Our constituents would fare better if the places were under civil service, for those qualified in our districts would have an equal chance to secure the appointments. Then again, when positions are not subject to civil service you receive 50 applications for jobs, probably get one person a job, and you have 49 disappointed constituents on your hands.

It seems to me the President, by an Executive order, could provide that every regulation and Executive order issued by a Government agency be deposited with some certain official, where copies could always be secured, and if that was done the taxpayers would be saved a large amount of money, and the Federal Register would not be necessary.

What has happened at this session? The independent offices appropriation bill carries an appropriation for the Federal Register for the next fiscal year. The deficiency bill we passed recently carried a deficiency appropriation for the Federal Register, and this bill carries money to print the Federal Register next year. Think of it, three appropriations from three separate subcommittees of the Appropriations Committee in this session of Congress. We must wait now and see if it is justified.

I want again to urge the Members of the Committee and the House to watch the Federal Register and the National Archives. I know they are the adopted children of some who have secured a number of jobs, and they will not like what I say. However, I do not care what they like, if I happen to be here when the next appropriation comes in for the Federal Register and the National Archives I am going to make them justify the expenditures. [Applause.]

Mr. LUDLOW. Mr. Chairman, I rise in opposition to the pro-forma amendment.

In what I shall say, Mr. Chairman, I shall express my own thought, possibly, more than the thought of the subcommittee, as I am not commissioned in respect of this particular matter to speak for them; but I personally agree very heartily with the gentleman from Missouri [Mr. COCHRAN] in regard to the bill which, I understand, he has introduced repealing the act creating the Federal Register. I think it certainly should be repealed because we do not have any conception of the depth to which we are going when we attempt to print the vast accumulation of orders and proclamations and all that sort of thing that have been issued. It is perfectly stupendous, and it was testified by Mr. Giegengack, the Public Printer, that there are accumulated orders and proclamations enough to fill a building the size of the Archives Building. Just think of it! The cost is inconceivable.

If we are going into the business of printing this vast accumulation in the Federal Register, we might just as well sign over the United States Treasury to do it.

While I agree perfectly with the gentleman that the law should be repealed, I dissent absolutely from any criticism he may have made of our committee for having made an appropriation in conformity with existing law, and I should like to ask the gentleman from Missouri how in the world we could do anything except what we have done? The law is on the statute books and until it is repealed it is the function of the Committee on Appropriations, of course, to recognize the fact that there is such a law, and we have appropriated the very minimum we could appropriate in conformity with our obligation to pay some attention to existing law. We could not challenge an act of Congress and say that we would disobey it.

Mr. MORAN. Mr. Chairman, will the gentleman yield?



Mr. LUDLOW. I yield to the gentleman from Maine.

Mr. MORAN. The gentleman has not pointed it out particularly, but it is a matter of interest to the House, of course, to know that under the reenacted supplemental appropriation act approved on February 11 last this program of publishing the Federal Register 5 days a week will begin within a week or so and continue until July 1, 1936, under that particular appropriation bill. The legislative appropriation bill now before the House provides an appropriation to continue this publication from July 1, 1936, to February 28, 1937. The two appropriation bills combined offer a year's trial of this publication, and out of that experience the next Congress will be in better position to pass upon the question as to its continuance and can repeal the Federal Register Act at that time if it so desires. This legislative appropriation bill provides merely a continuation of the appropriation from July 1, 1936, and failure to support the appropriation in this bill would have the effect of stopping the publication as of July 1, 1936. If and when Congress wishes to stop this publication, let it do so by repealing the Federal Register Act itself. With the act in force the duty of our committee is clearly to provide an adequate appropriation.

Mr. LUDLOW. I thank the gentleman for his contribution. He is quite right. It is very true that the only appropriation we have made in this bill is an appropriation to carry on for 8 months the publication of the current orders and proclamations, by which time we expect Congress will have taken some definite action. Personally I hope this action will be the passage of a bill repealing the act.

We have not provided in this appropriation for the publication of any of the accumulations, because that is like trying to publish all outdoors. We have decided not to do that until Congress can consider the matter more fully and sanely in the light of all the facts and decide whether it ought to go into the matter of publishing this enormous accumulation.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. TABER. Is it not a fact that there is a very considerable item carried in the independent offices bill in addition to this amount for the same purpose?

Mr. LUDLOW. That is true; and that is in consonance with existing law. This appropriation becomes effective on the 1st of July, and this will be continuing what the act of Congress requires.

[Here the gavel fell.]

Mr. MORAN. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes.

Mr. MICHENER. Are we not under the 5-minute rule?

The CHAIRMAN. We are; but unanimous consents are in order.

Mr. MICHENER. I ask to be recognized when the gentleman from Maine is through.

Mr. MORAN. Mr. Chairman, in answer to the question propounded by the gentleman from New York [Mr. TABER], the appropriation for the Federal Register contained in the independent offices appropriation bill for 1937 provides the funds for compiling and editing the material to be published, whereas the appropriation for the Federal Register contained in the legislative appropriation bill for 1937 now before the House provides funds to the Public Printer solely for printing the Federal Register. The two appropriations, therefore, are not for the same purpose at all. However, the combined total of appropriations under both bills should be considered when the House at some later date gives consideration to the question of continuance of the Federal Register. Mr. TABER, by his inquiry, properly calls attention to the fact that in such consideration attention should be given to the costs as measured by appropriations carried in both the independent offices and the legislative appropriation bills.

Mr. MICHENER. Mr. Chairman, I move to strike out the last two words. I realize that there is not the necessity for this Federal Register that there was when the legislation was enacted. Much criticism has been made of the enactment of this law, but we must not lose sight of the fact that at the time the law was enacted we had hundreds and even thou-

sands of regulations, proclamations, and orders issued by different agencies, bureaus, departments, and the President, which in their nature carried penalties and often imprisonment, and men were actually arrested and convicted. One case was carried up to the Supreme Court of the United States before it was ascertained that the order, rule, regulation, or proclamation, which the man was accused of violating had been repealed even before the arrest was made. In a hearing before the Judiciary Committee on the original Federal Register legislation, numerous instances were cited where great hardship was worked upon well-meaning people, simply because they did not know what the law as embodied in these rules and regulations was, and there was no one place where they could look to ascertain what they were expected to do to be law-abiding citizens. Now that condition was recognized as abominable, and it was the primary purpose of the Federal Register to codify and bring together all these rules, regulations, and proclamations having the force and effect of law so far as compliance on the part of the citizens is concerned.

I realize that since the enactment of the Federal Register statute the A. A. A. has departed. The N. R. A. is no more. The Potato Act, the Cotton Act, and the Tobacco Act have been repealed. However, in a recent attempt to revive that which is constitutionally dead, new power is given to the Secretary of Agriculture to issue another flock of rules and regulations; and it might be well to have some place where the well-meaning citizen might repair to find out to what extent his liberties and course of living and pursuit of happiness might have been regulated by an order issued by the Secretary of Agriculture or one of his subordinate bureaus. The principle underlying the Federal Register statute, in the light of present-day bureaucratic activities, and in these days when Congress has delegated so much of its power to others, is correct; and we should not think of repealing this statute until methods of legislation are stabilized in accordance with previous law and constitutional authority.

There is now pending before the Judiciary Committee what is known as the Walsh bill, the purpose of which is to make all existing codes under the defunct N. R. A., and which were in effect on May 27, 1935, effective so far as Government contracts are concerned. This bill has already passed the Senate, and if it is ever favorably reported by the committee and passed by the House the old N. R. A. will have full force and effect so far as Government contracts are concerned. Who knows what the codes in force and effect on May 27, 1935, were? Where can any contractor find this information? Yet the contractor would be penalized if he entered into a contract with the Government and failed to observe these regulations. If for no other reason, this Federal Register statute should not be abandoned until the Congress has finally disposed of the Walsh bill.

I have heretofore spoken at some length, I think, on the necessity of the Federal Register law. And at the time the matter was before the House for consideration I objected strenuously to the provision establishing the set-up outside of the civil service. Following practically all New Deal legislation, however, the law exempted all activities under the statute from the operation of the civil service and the classification laws. This Federal Register is established in the Archives department, and if there is a place where the civil service should obtain, it is in this agency.

The gentleman from Missouri [Mr. COCHRAN] is exactly correct so far as the civil service is concerned, and I stand with him 100 percent in this particular. It is splendid to see so good a Democrat take so courageous a stand when "the loaves and fishes" are being distributed. Possibly many capable persons have been selected to work in the Archives department, yet they have all had to pass the political test. We would not expect to find anyone rendering service down there unless he was a deserving partisan. This should not be, and these people should be obliged to meet civil-service requirements; and then should be secure in these technical positions. If there is any place in the Government where expert knowledge and training is required, it is in handling the Government archives. And I for one do not want this new



agency honeycombed with politicians. Let us provide by law that these people be selected because of their qualifications and that they be permitted to carry on regardless of change of political administration.

It might not be amiss to call attention to the fact that in recent weeks we have been hearing much about the civil service. After all these agencies and bureaus and new activities have been established and the positions filled with the patronage yardstick as the measure rather than the civil-service yardstick, now all of a sudden the powers that be have discovered that these positions should be under the civil service. The same is true in the post offices and other departments; and we may confidently expect an Executive order or legislation in the not far distant future covering all of these appointees in under the civil-service law. That will be bad enough, but even at that this may be advisable in order to eventually get qualified and not political help in the departments.

Mr. CULKINS. Mr. Chairman, I move to strike out the last three words. The gentleman from Missouri [Mr. COCHRAN] made a statement here a moment ago with reference to the standing of the Democratic and Republican Parties on civil service which I cannot permit to go unchallenged. In the February issue of the Atlantic Monthly Mr. Lawrence Sullivan, a member of the press gallery here, had a most illuminating article on the destruction of the national civil service by the present administration. He traces the story of the civil service, dating from the assassination of President Garfield, and shows its steady growth. He tells how, under the Republican administrations since that time, the extension of civil service steadily increased and, until the advent of the present administration, it was well-nigh a completed control of the public service. I quote Mr. Sullivan's article:

The present administration has added roundly 235,000 persons to the direct full-time pay rolls of the Federal Government but only 1 in 107 among the new personnel is under civil service.

"Spoils! Spoils!" cry the defenders of the merit system.

"Emergency! Emergency!" respond Postmaster General James A. Farley and all the beneficiaries of "political clearance."

And the issue here joined promises to influence American affairs profoundly, perhaps fundamentally, for a decade; for if the merit system is to be abandoned, as prevailing policies portend, we soon shall find our national affairs dominated by a whole new complex of primary motivations. When partisan activity degenerates to a bald race for the Treasury trough the very concept of public service shrinks, withers, then dies. Thereupon government ceases to be the testing ground for measures of social adjustment and progress and becomes the mere battleground of the "ins" versus the "outs" for the exactly measured plunder of the public pay roll.

Since 1933 the percentage of Federal positions subject to competitive examination, in relation to the total of full-time employees in the executive branch, has declined steadily from month to month, a phenomenon not experienced previously since the establishment of the United States Civil Service Commission in 1883.

In 1884 only 10.5 percent of those in the executive civil service were under statutory merit regulations. By 1904 this percentage had increased to 51.2. Woodrow Wilson increased it to 67.2, Mr. Coolidge to 74.8, and Mr. Hoover to 80.8. In 1928 the Civil Service Commission was happy to report formally: "Every President since the civil-service law was enacted has extended its scope by Executive order, and each Congress finds new avenues for the activities of the Civil Service Commission." The march of merit was unbroken for half a century. But by the end of the fiscal year 1935 the percentage of competitive places had slipped back to 57, approximately the ratio which prevailed in the period 1906-1908.

Nor is this quarter-century retrogression the whole sorry tale. Unrelenting pressure for the rooting out of civil-service employees in department after department, under pretexts often persuasive enough, has broken the morale of the whole Federal personnel. No longer is hard-won civil-service status regarded as security against a patronage raid. Where the job makers will strike next, nobody ever knows. Heaped upon all the recognized frustrations of top-heavy bureaucratic organization is the new, incessant, and demoralizing intrigue of the appointive against the civil-service personnel.

Of course, civil service makes for efficiency. It encourages the career man. The distinguished occupant of the White House gives lip service to the civil service and then the public service is Farley-ized. National civil service today is a mockery and the ground that has been gained in America heretofore has been lost during this present administration.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Not at this time. The public service has been debauched, and I repeat that civil service as an agent of an added and more efficient public service has been hampered and demoralized by this administration. In this same article, as I recall, it told the story of how in England on the occasion of a recent change in Government, when the party in power went out of power, there were only several hundred places which changed in the whole administration.

In other words, civil-service controlled. In England efficiency and technical equipment were the tests, and not the endorsements of the local politicians. That is probably one of the reasons for England's recovery. That is the only way that the public service can survive along orderly lines and along the lines of civic progress. The distinguished President should not say one thing and then wink his eye at the performance of Mr. Farley, who has definitely debauched and destroyed the growth and development of the civil service of America. No man in the civil service today enjoys a secure, serene tenure of office. Without that the efficiency of the civil-service employee is destroyed.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Yes.

Mr. CONNERY. Does not the gentleman understand that the Commissioner of the Civil Service, in a speech recently, gave facts and figures showing that Mr. Sullivan in that article did not know what he was talking about, and that the Democratic Party had put more people in the civil service, in ratio as they went along, than the Republican Party, and that they had taken departments of the Government and put them under civil service and added to the civil service?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CULKIN. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Chairman, I did not read that statement of the Commissioner; but if he is saying that, he is differing from every organization in America that has the public service and the extension of the civil service at heart.

Mr. CONNERY. He gave facts and figures on that.

Mr. CULKIN. The article to which I refer seemed to me to be well grounded and well justified. The gentleman from Massachusetts must know that this disgraceful performance is current history, of which the Members on the other side of the aisle, the President, and Field Marshal Farley are the principals in the making.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the pro-forma amendment.

I would like to call to the attention of the House, Mr. Chairman, at this time a matter of great importance to the Committee on Labor. I have been chairman of that committee for 5 years. We have only one clerk on that committee. I have called this to the attention of my friend the chairman of the Committee on Accounts, Mr. WARREN, and to another member of the Committee on Accounts, the chairman of the Committee on Expenditures in the Executive Departments, my friend, Mr. COCHRAN. We are expected in the Committee on Labor to answer letters from 48 States in the Union on all sorts of labor problems and questionnaires, and we have only one clerk to answer those letters. That clerk is expected to answer phone calls from Members of the House and Senate and Government departments, keep in order all committee files, call committee members, answer labor queries, arrange the transcripts of hearings, prepare hearings for printing, have at her finger tips information on all the labor bills referred to the committee, the status of those bills, and, in addition, receive visitors from all over the Union who come to the committee room seeking information on labor problems. I will say that that clerk, Miss Mary Cronin, immediately after the last session of Congress, suffered a complete nervous break-down and was incapacitated for work for 3 months as a result of overwork as clerk of the Committee on Labor. When I speak of overwork on that



committee, that does not mean night work, because I do not allow my clerk to work nights. I believe in decent hours for people who are working, especially on the Committee on Labor. That committee has always stood for shorter hours and higher wages [applause], and we believe that should begin at home, and we should practice what we preach.

I am appealing to the House. I know what I am up against in trying to get an assistant clerk for that committee. I know what the gentleman from North Carolina [Mr. WARREN] is up against, and I know what the gentleman from Missouri [Mr. COCHRAN] is up against. When I ask for an additional clerk they say, "We know you have a good case, but if we give you an assistant clerk, all the committees are going to ask for an additional clerk"; but I am putting up to the House of Representatives a condition which I believe the Members of the House know exists.

In the last 5 years, due to the conditions of unemployment in the country, the Committee on Labor itself has become certainly overworked. We have three subcommittees out on hearings now on matters all of which are of tremendous importance to the American people. The members of those committee have worked long hours. In the past two sessions the committee has worked many long hours, day and night, on the 30-hour-week bill, on the Wagner-Connelly bill, on equal representation on the codes when the N. R. A. was in effect, on other labor legislation, and labor investigations. We of the committee have not objected to working long hours ourselves, but we believe it to be eminently unfair to ask one clerk to do the work of three persons, because that is what the clerk of the Committee on Labor has been doing and is doing now. I am appealing to the House and to the chairman of the Committee on Accounts to look into the matter of giving us an assistant clerk for that Committee on Labor. I believe, due to the conditions in the country to which I have referred, that we have a special condition of affairs in that committee which should be recognized and should be remedied, and I believe that no other committee will feel aggrieved if the Committee on Accounts should report a resolution providing for an assistant clerk for the Committee on Labor. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. CONNERY] has expired.

The Clerk concluded the reading of the bill.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BUCK, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 11691) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1937, and for other purposes, directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move the previous question on the bill to final passage.

The motion was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill. The bill was passed.

On motion by Mr. SNYDER of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### EXTENSION OF REMARKS

Mr. LAMBETH. Mr. Speaker, in connection with my remarks, I wish to ask unanimous consent to insert two brief letters from department officials.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

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#### CREATION OF THE DEPARTMENT OF TERRITORIES AND INSULAR AFFAIRS

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to insert in the RECORD my own remarks delivered by radio in behalf of a bill introduced by Senator GIBSON to create a Department of Territories and Insular Affairs.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

Mr. IGLESIAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address which I delivered March 11, 1936, over the radio in behalf of a bill introduced by Senator GIBSON to create a Department of Territories and Insular Affairs:

Fellow Members and citizens, Senator GIBSON is trying to obtain for beautiful Puerto Rico and other Territories greater representation and a more dignified position in Washington in the administration of the island's affairs. Puerto Rico is an organized Territory of the United States under the supreme authority of Congress.

The Jones Act, passed by Congress in 1917, granted American citizenship to the people of Puerto Rico. The island has over 1,600,000 American citizens, and, for the last 37 years, our children have been born and educated under the American flag, with American ideals of life and government taught in our schools.

Puerto Rico literally stands at the crossroads of the world, at the entrance to the Caribbean, and on direct line with east and west, north and south. San Juan, the capital and chief port, is but 1,000 miles from the Panama Canal; 1,300 miles from New York and Philadelphia; less than 1,000 from Havana; and less than 4,000 miles from European countries.

Let me say that the institutions of the United States have been responsible for the marvelous and wonderful progress made in Puerto Rico. Our total trade, import and export, reaches an average of \$140,000,000 each year, so that the commerce with the mainland during the past 35 years has reached the large amount of over \$3,000,000,000.

A great majority of the people believe that the influence of the people of the United States, in the destiny of Puerto Rico, has been, is, and will be, civilizing and that the extension of the Constitution of the United States to the island represents a positive guaranty to the islander's liberty, freedom, and enjoyment of individual rights.

Senator Gibson's proposal is to tend to enlarge the representation of Puerto Rico in the administration at Washington, which would be evidence of great progress. I sincerely hope that the Senator will convince Congress of the absolute necessity of setting up for all time a clear and definite policy for our island.

I affirm that the only way to seek a remedy to better economic and social conditions of the greater part of the population and workers is to have absolute guaranty of a true representative government, freedom of association, freedom of speech and press, setting the policy of the United States for Puerto Rico and to have it attended to by a proper and dignified authority in the Government in Washington who may act with impartiality, and lend his best cooperation to the welfare and progress of the Puerto Rican people.

The Puerto Rican people, every year since the occupation by the United States Army in 1898, have requested of the various Presidents and Congresses, through representatives of all economic institutions, political parties, and organized labor of the island, to set a definite policy by which the island's future may be guided. Puerto Ricans are a sensible, loving, and peaceful people.

A great majority of the Puerto Rican people wants elevation from a dependency or possession to the dignified recognition as that of a State of the Union.

In the meantime give the people of Puerto Rico what they have striven to secure to themselves for so many years—a greater degree of economic possibilities and self-government, as suggested by our legislature and the national administration.



## EXTENSION OF REMARKS

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members who spoke on the legislative department appropriation bill may have 5 legislative days within which to extend their own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## LEGISLATIVE DEPARTMENT APPROPRIATION BILL

Mr. SNYDER of Pennsylvania. Mr. Speaker, I want to commend the gentleman from California [Mr. Buck] for his splendid effort to carry out the instructions of the Speaker with reference to requiring Members to address the Chair before speaking. The gentleman did a splendid day's work, and I think he should be commended for his efforts to carry that out. [Applause.]

The SPEAKER. Without objection, the Clerk will be directed to correct the section numbers in the legislative department appropriation bill just passed.

There was no objection.

## EXTENSION OF REMARKS

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a bill introduced by me, and also an article by Major Norwood on the subject of aviation in the public schools.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KENNEY]?

Mr. SNELL. Reserving the right to object, Mr. Speaker, that matter was discussed some few days ago, and I think there was a general understanding that a bill already in print should not be reproduced in the RECORD, and, therefore, I object.

Mr. KENNEY. Will the gentleman reserve his objection for a moment?

Mr. SNELL. Yes.

Mr. KENNEY. I would like to say that I would particularly like to introduce the matter prepared by Major Norwood. Major Norwood is instructor in aviation at the Teaneck High School. That is the only school that has such a course.

Mr. SNELL. But if we start printing all articles produced by all the high-school instructors in the country, we will have the RECORD full.

Mr. KENNEY. There is no other such activity in the country. People from all over the country are writing to him about the boys in that high school, and I want to send it out to the country.

Mr. SNELL. I am going to object to the reprinting of bills in the CONGRESSIONAL RECORD that are printed and ready for distribution.

Mr. KENNEY. I withdraw my request, so far as the bill is concerned.

Mr. LAMBETH. Mr. Speaker, reserving the right to object, I think the gentleman from New York probably intended to object to the article of the instructor, who is a civilian, as I understand, not connected with the Government.

Mr. SNELL. I thought I did. I understood the gentleman now wants to extend his own remarks, not the article of the instructor. Certainly I object to that. I thank the gentleman from North Carolina for calling it to my attention. I do not think that he would want it in, either.

Mr. KENNEY. I may say to the gentleman that this is the only thing of its kind in the United States—this course given in the Teaneck High School.

Mr. SNELL. I object to it. I object to the insertion in the RECORD of these private articles.

The SPEAKER. What is the request of the gentleman from New Jersey as modified?

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include matter prepared by Major Norwood, of the Teaneck High School, regarding a course of education in the public schools.

Mr. SNELL. Mr. Speaker, I object.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHANDLER, for 3 days, on account of important business.

To Mr. HIGGINS of Massachusetts (at the request of Mr. McCORMACK), for 1 week, on account of illness.

## ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 16 minutes p. m.) the House adjourned until tomorrow, Friday, March 13, 1936, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

706. Under clause 2 of rule XXIV, a letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill for payment of claims of certain white settlers who had lost their property under the decisions of the Pueblo Lands Board, approved under the act of June 7, 1924 (43 Stat. 636), as supplemented by the act of May 31, 1933 (48 Stat. 108, 109); was taken from the Speaker's table and referred to the Committee on Indian Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JOHNSON of Texas: Committee on Foreign Affairs. S. 3413. An act to give effect to the convention between the United States and certain other countries for the regulation of whaling, concluded at Geneva, September 24, 1931, signed on the part of the United States, March 31, 1932, and for other purposes; with amendment (Rept. No. 2154). Referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DALY: Committee on Claims. H. R. 993. A bill to extend the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes", to Frank A. Boyle; with amendment (Rept. No. 2155). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1103. A bill for the relief of E. B. Gray; with amendment (Rept. No. 2156). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 2189. A bill for the relief of Julia M. Ryder; with amendment (Rept. No. 2157). Referred to the Committee of the Whole House.

Mr. TOLAN: Committee on Claims. H. R. 3283. A bill for the relief of the Community Investment Co., Inc.; with amendment (Rept. No. 2158). Referred to the Committee of the Whole House.

Mr. PITTINGER: Committee on Claims. H. R. 3598. A bill for the relief of Evangelos Karacostas; with amendment (Rept. No. 2159). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 4411. A bill for the relief of Mary L. Munro; with amendment (Rept. No. 2160). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 4571. A bill for the relief of William W. Bartlett; with amendment (Rept. No. 2161). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 4915. A bill for the relief of Guido Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin; with amendment (Rept. No. 2162). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 6163. A bill for the relief of Mrs. Murray A. Hintz; with amendment (Rept. No. 2163). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 6258. A bill for the relief of D. E. Woodward; with amendment (Rept. No. 2164). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 6441. A bill to extend the benefits of the Employees' Compensation Act of September 7, 1916, to J. C. Wilkinson; with amendment (Rept. No. 2165). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 6599. A bill for the relief of John Charles Klein; with amendment (Rept. No. 2166). Referred to the Committee of the Whole House.

Mr. STACK: Committee on Claims. H. R. 6828. A bill granting 6 months' pay to George H. Smith; with amendment (Rept. No. 2167). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 7555. A bill for the relief of W. N. Holbrook; with amendment (Rept. No. 2168). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 7645. A bill for the relief of Harry L. Smigell; with amendment (Rept. No. 2169). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 7867. A bill for the relief of John Micek; with amendment (Rept. No. 2170). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 7904. A bill for the relief of the Grant Hospital of Chicago, Ill.; with amendment (Rept. No. 2171). Referred to the Committee of the Whole House.

Mr. DALY: Committee on Claims. H. R. 7987. A bill for the relief of the Polygraphic Co. of America; with amendment (Rept. No. 2172). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 8113. A bill for the relief of Louis George; with amendment (Rept. No. 2173). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 8200. A bill for the relief of the seamen of the steamship *Santa Ana*; with amendment (Rept. No. 2174). Referred to the Committee of the Whole House.

Mr. EKWALL: Committee on Claims. H. R. 8434. A bill authorizing the redemption by the United States Treasury of certain documentary revenue stamps now held by L. J. Powers; with amendment (Rept. No. 2175). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 8486. A bill for the relief of John A. Baker; with amendment (Rept. No. 2176). Referred to the Committee of the Whole House.

Mr. TOLAN: Committee on Claims. H. R. 8506. A bill for the relief of Oliver Faulkner; with amendment (Rept. No. 2177). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 8510. A bill for the relief of John Hurston; with amendment (Rept. No. 2178). Referred to the Committee of the Whole House.

Mr. GWYNNE: Committee on Claims. H. R. 8551. A bill for the relief of J. C. Donnelly; with amendment (Rept. No. 2179). Referred to the Committee of the Whole House.

Mr. TOLAN: Committee on Claims. H. R. 9023. A bill for the relief of Anna Muetzel; with amendment (Rept. No. 2180). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 9076. A bill for the relief of W. H. Dean; with amendment (Rept. No. 2181). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 9370. A bill for the relief of Frank Cordova; without amendment (Rept. No. 2182). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9373. A bill for the relief of H. L. & J. B. McQueen, Inc., and John L. Summers, former disbursing clerk, Treasury Department; without amendment (Rept. No. 2183). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 9374. A bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction-finder station, North Truro, Mass., on December 27, 1934; without amendment (Rept. No. 2184). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 11052. A bill for the relief of Joseph M. Purrington; with amendment (Rept. No. 2185). Referred to the Committee of the Whole House.

Mr. HOUSTON: Committee on Claims. S. 536. An act for the relief of Ada Mary Tornau; without amendment (Rept. No. 2186). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. S. 903. An act for the relief of the Holyoke Ice Co.; without amendment (Rept. No. 2187). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. S. 2042. An act for the relief of Grace Park; with amendment (Rept. No. 2188). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. S. 2336. An act granting compensation to Mary Weller; without amendment (Rept. No. 2189). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. S. 2942. An act for the relief of John Hoffman; without amendment (Rept. No. 2190). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. S. 2943. An act for the relief of John Morris; without amendment (Rept. No. 2191). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3125. An act for the relief of J. A. Hammond; without amendment (Rept. No. 2192). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. S. 3367. An act for the relief of James Gaynor; without amendment (Rept. No. 2193). Referred to the Committee of the Whole House.

Mr. GWYNNE: Committee on Claims. S. 3684. An act to authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War; without amendment (Rept. No. 2194). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3777. An act to authorize the Secretary of the Treasury to execute an agreement of indemnity to the First Granite National Bank, Augusta, Maine; with amendment (Rept. No. 2195). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 3085) for the relief of John A. Nehmer, and the same was referred to the Committee on Claims.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER: A bill (H. R. 11767) to provide for the entry under bond of exhibits of arts, sciences, and industries, and products of the soil, mine, and sea, and all other exhibits for exposition purposes; to the Committee on Ways and Means.

By Mr. DEMPSEY: A bill (H. R. 11768) authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose; to the Committee on Foreign Affairs.

By Mr. SWEENEY: A bill (H. R. 11769) to reclassify the salaries of watchmen, messengers, and laborers in first- and second-class post offices and the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. ELLENBOGEN: A bill (H. R. 11770) to rehabilitate and stabilize labor conditions in the textile industry of the United States; to prevent unemployment, to regulate



child labor, and to provide minimum wages, maximum hours, and other conditions of employment in said industry; to safeguard and promote the general welfare; and for other purposes; to the Committee on Labor.

By Mr. CROSSER of Ohio: A bill (H. R. 11771) to authorize the coinage of 50-cent pieces in commemoration of the Centennial Celebration of Cleveland, Ohio, to be known as the Great Lakes Exposition; to the Committee on Coinage, Weights, and Measures.

By Mr. JOHNSON of West Virginia: A bill (H. R. 11772) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 11773) to amend the Plant Quarantine Act of August 20, 1912; to the Committee on Agriculture.

By Mr. PEYSER: A bill (H. R. 11774) to amend the retirement laws affecting certain grades of Army officers; to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 11775) to amend section 101 (12) of the Revenue Act of 1934; to the Committee on Ways and Means.

Also, a bill (H. R. 11776) to diminish unemployment through establishing the supplementary system of production and consumption for the unemployed known as reciprocal economy; to the Committee on Labor.

By Mr. THOMASON: A bill (H. R. 11777) to authorize the Secretary of War to set apart as a national cemetery certain lands of the United States military reservation of Fort Bliss, Tex.; to the Committee on Military Affairs.

By Mr. WERNER: A bill (H. R. 11778) to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890; to the Committee on Indian Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN: A bill (H. R. 11779) for the relief of Dominga Pardo; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H. R. 11780) for the relief of J. H. Bowling; to the Committee on Claims.

By Mr. EDMISTON: A bill (H. R. 11781) granting an increase of pension to Martha E. Watts; to the Committee on Invalid Pensions.

By Mr. ELLENBOGEN: A bill (H. R. 11782) to correct the record of Charles A. Gift; to the Committee on Naval Affairs.

By Mr. GRISWOLD: A bill (H. R. 11783) for the relief of William James Armstrong; to the Committee on Naval Affairs.

By Mr. HOPE: A bill (H. R. 11784) for the relief of Jack C. Collins; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 11785) for the relief of Lewis Marion Hall; to the Committee on Naval Affairs.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11786) granting a pension to Julian A. Myers; to the Committee on Invalid Pensions.

By Mr. OLIVER: A bill (H. R. 11787) for the relief of Mr. and Mrs. W. T. Warner; to the Committee on Claims.

By Mr. SCOTT: A bill (H. R. 11788) for the relief of certain eight lieutenants in the line of the Navy, and to correct certain injustices done them as a result of the act of May 29, 1934 (H. R. 9068); to the Committee on Naval Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11789) granting a pension to Adam Anderson; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10512. By Mr. AYERS: Petition of Myron W. Danforth and 37 patrons and citizens of star route no. 63516, Montana; to the Committee on the Post Office and Post Roads.

10513. By Mr. GOODWIN: Petition of Moriah Grange, No. 1128, Moriah, N. Y., urging the passage of the bill placing a Federal tax on oleomargarine; to the Committee on Agriculture.

10514. By Mr. GUYER: Petition of citizens of Norton, Kans., petitioning the restoration of prohibition to the District of Columbia through the enactment of House bill 8739; to the Committee on the District of Columbia.

10515. By Mr. LAMNECK: Petition of Mrs. C. N. Greiner, president, Crestview Welfare Club, 60 Walhalla Road, Columbus, Ohio, and others, urging early action on the motion-picture bills before Congress; to the Committee on Interstate and Foreign Commerce.

10516. By Mr. PFEIFER: Petition of the Polish Aid Fund, Inc., Brooklyn, N. Y., concerning the Frazier-Lundeen workers' social insurance bill; to the Committee on Labor.

10517. Also, petition of the Young Men's Council of the United States, New York City, urging support of the Kramer bill and the Tydings-McCormack bill; to the Committee on Military Affairs.

10518. By the SPEAKER: Petition of the Kentucky Bar Association; to the Committee on the Library.

10519. Also, petition of the Board of County Commissioners of Ward County, N. Dak.; to the Committee on Ways and Means.

## HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 13, 1936

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the Infinite One, we rejoice that Thou hast called Thyself Father, Friend, Savior, and Elder Brother. By these, Blessed Lord, we are taught of what Thou art; they disclose our relationship to Thee; glory be unto Thy Holy Name. We pray that we may be exultant in our faith, in our happiness, and in this personal alliance. Dwell in us, our Heavenly Father, quickening all the sources of our hope and courage. O Divine Spirit, we need Thee more than knowledge, temple, or creed, that we may become in all things more than conquerors—through Him who hath loved us! Let Thy holy precepts be felt in every realm of our activities, keeping our affections clean and clear. Hasten the glorious day, Father, when men shall labor for the bread that cometh down from heaven; when injustice shall prevail no more and truth and brotherhood shall bless our humanity throughout the world. In the blessed name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H. J. Res. 443. Joint resolution to amend Public Resolution No. 31 of the Seventy-fourth Congress, first session, approved June 17, 1935, so as to extend its provisions to cover the National Boy Scout Jamboree now scheduled to be held in 1937; and

H. J. Res. 514. Joint resolution authorizing the completion of certain records and operations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes.

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2288. An act to provide for the measurement of vessels using the Panama Canal, and for other purposes; and

S. J. Res. 223. Joint resolution relating to the employment of the personnel of the Agricultural Adjustment Administration in carrying out certain governmental activities.